



STAFF NOTES

March 21, 2006

Colonel Thomas H. Streicher, Jr., Police Chief



Supply Unit

• Winter Uniform Shirts

COP Coordinator

2006 Police Youth Live-In

Planning Section

- Revised Organizational Chart and Organizational Narrative
- Form 70S, Request for Permission to Travel
- Revision to Procedure 12.545, Use of Force
- Revision to Form 534, Contact Card, and Procedure 12.554, Investigatory Stops
- Revision to Procedure 12.900, Processing Juvenile Offenders

Chief's Office

Thank You Letters

1. WINTER UNIFORM SHIRTS

Winter uniform shirts must be ordered in the near future. Each district/section/unit must complete a check-off list and include the following information:

- 1) Officers ordering male shirts must specify neck size, sleeve length, and right or left handed designation. Minimum neck size on male shirts is 14 inches.
- 2) Officers ordering female shirts must include neck size, sleeve length, chest size, and right or left handed designation.

"Long Body" shirts may be ordered for very tall officers only. Please specify "Long Body" next to the officer's name.

Shirts should be ordered on an "as needed" basis only. The order will be limited to two shirts per officer.

This information must be received by Supply Unit no later than Friday, April 7, 2006. Questions may be directed to the Supply Unit at 352-2520.

2. 2006 POLICE YOUTH LIVE - IN

The 2006 Police Youth Live-In, sponsored by the National Conference for Community and Justice (NCCJ) and the Police Department, will be held at Camp Joy in Clarksville, Ohio the week of July 10 – 14, 2006.

This year marks the 37th year the Police Department has partnered with NCCJ. The Department is seeking 20 sworn members to volunteer to participate in this event (nine male officers, nine female officers, one male supervisor, and one female supervisor).

Approved volunteers will be detailed on-duty to the event beginning the morning of July 10 through the afternoon of July 14. Each participant will earn an extra two hours of overtime pay per day.

Interested volunteers should submit a written request to their supervisor no later than Friday, April 14, 2006. After review by the employee's Bureau Commander, the requests will be forwarded to the COP Coordination Unit.

Any officers aware of youth between the ages of 10 - 12 who are interested in participating should direct them to contact NCCJ at 381-4660 for registration forms.

Additional questions may be directed to Lieutenant Larry J. Powell, Community Oriented Policing Coordinator, at line 352-2972.

3. REVISED ORGANIZATIONAL CHART AND ORGANIZATIONAL NARRATIVE

<u>Attached</u> to these Staff Notes are current copies of the Department's organizational chart and organizational narrative.

4. FORM 70S, REQUEST FOR PERMISSION TO TRAVEL

Form 70S, Request for Permission to Travel, is now available on the Department computer. This revision is effective immediately. To access the Form 70S, open the Excel application. Select "New" in the file menu, select "General Templates" on the right-hand side of the screen and click on Form 70S.

5. REVISION TO PROCEDURE 12.545, USE OF FORCE

Procedure 12.545, Use of Force, has been revised.

Information concerning extended, uninterrupted discharges or extensive multiple discharges of the X26 Taser has been added. Officers should avoid prolonged or multiple Taser discharges, whenever possible.

The use of the Taser should be combined with physical restraint techniques to minimize the total duration of the struggle and Taser use. Additional officers on the scene of a Taser deployment can attempt to restrain and handcuff a subject during an active Taser cycle.

Officers should transition to a different force option if multiple Taser deployments fail to gain compliance, or continued Taser applications are not making sufficient progress toward gaining compliance.

The X26 Taser is an effective tool for stopping the aggressive behavior of wild animals and/or vicious dogs. Officers using a Taser on an animal may need to adjust their aim to ensure contact is made with both probes.

This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

6. REVISION TO FORM 534, CONTACT CARD, AND <u>PROCEDURE 12.554</u>, INVESTIGATORY STOPS

Form 534, Contact Card, and Procedure 12.554, Investigatory Stops, have been revised. A Contact Card **must** be completed any time an officer stops a motor vehicle or conducts an inquiry of individuals in a stopped motor vehicle. When more than one vehicle is stopped as the result of a single incident (i.e., same CAD number), officers will note the vehicle number (#2, #3, #4, etc.) in the designated block on the Contact Card. If only one vehicle is stopped it is not necessary to put #1 in the block. A Contact Card is required in addition to any other documentation of the incident, i.e., Form 527, Arrest Report, NTA, MUTT, etc.

The revised Form 534 is currently being printed at Printing Services. Officers will use the current card until the stock is depleted.

These revisions are effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

7. REVISION TO PROCEDURE 12.900, PROCESSING JUVENILE OFFENDERS

Procedure 12.900, Processing Juvenile Offenders, has been revised. The time for all juvenile traffic tickets is now 1430 hours. Until new MUTTs are received from Printing Services, officers must write the proper time on the citation.

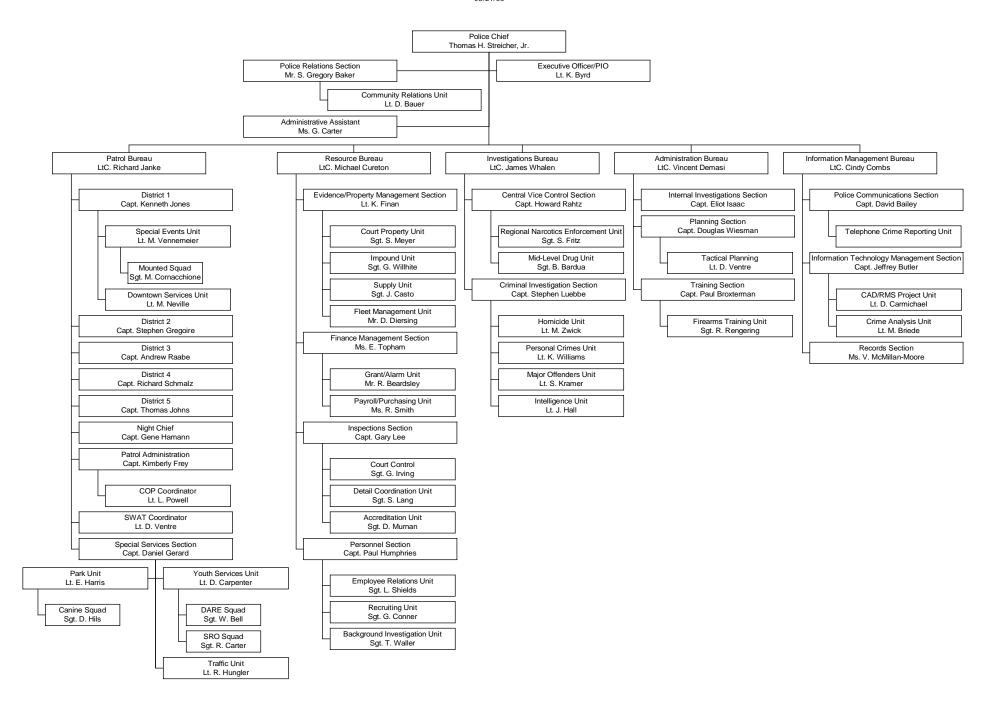
This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

8. THANK YOU LETTERS

<u>Attached</u> to these Staff Notes are several letters of appreciation and praise written to the Police Chief for the professionalism displayed by our Department and specifically the following officers:

Sergeant Shauna Lambert
Police Specialist Jenny Luke
Police Officer Kelli Cassidy
Police Officer Mary Thompson-Cowan

Sergeant Matt Cornacchione Police Specialist Brian Trotta Police Officer Elena Moton



THE CINCINNATI POLICE DEPARTMENT ORGANIZATIONAL NARRATIVE

March 21, 2006

he Police Department is the primary law enforcement agency of the City, existing under provisions of Article IV, Section 3, of the Administrative Code of the City of Cincinnati. The primary responsibilities of the Police Department are:

- · Prevention of crime
- Protection of life and property
- Suppression of criminal activity
- Apprehension and prosecution of offenders
- Regulation of non-criminal conduct
- Preservation of public peace

Under the command of the Police Chief, the Police Department's responsibilities are divided among five bureaus: Patrol, Resource, Investigations, Administration, and Information Management.

MISSION STATEMENT

The mission of the Cincinnati Police Department is to work in partnership with the citizens of the community to provide a safe environment where the quality of life may be improved through the delivery of fair and impartial police services.

VALUES

We value human life and dignity.

We value integrity as the basis for community trust.

We value the fair and impartial enforcement of Federal, State, and Local Laws and the rights of the accused.

We value professional excellence.

We value all members of the Department, both sworn and non-sworn.

EXECUTIVE OFFICE

The <u>POLICE CHIEF</u> is responsible for Police Department operations. The Chief coordinates, organizes, directs, and controls activities. The Chief also implements policy and makes necessary personnel and procedural changes to ensure the effective operation of the Department. Bureau Commanders, the Police Relations Section Executive Manager, the Public Information/Executive Officer, and the Administrative Assistant are directly accountable to the Police Chief.

The POLICE RELATIONS SECTION, directed by an Executive Manager, is responsible to the Police Chief for developing policy as it relates to public safety and policing issues. Areas of responsibility and focus include community relations. This section is also responsible for the City and Department implementation and compliance with the terms and conditions contained within the U.S. Department of Justice Memorandum of Agreement and the Collaborative Agreement. The Executive Manager of Police Relations Section serves as the Cincinnati Police Department Compliance Coordinator for the U.S. Department of Justice Memorandum of Agreement and Departmental liaison to the Independent Monitor.

The <u>Community Relations Unit</u> provides assistance to the Executive Manager of Police Relations on activities and projects that facilitate the implementation of the terms and conditions of the U.S. Department of Justice Memorandum of Agreement and Collaborative Agreement. The unit is responsible for coordinating community involvement in Police Department operations with the goal to reduce crime and improve citizen and police safety.

The **EXECUTIVE OFFICER** is a lieutenant who serves as an aide-de-camp to the Police Chief. He becomes familiar with the daily activities of the command staff, including their decision making process and operating procedures. He attends staff and special meetings, reviews and coordinates written correspondence and performs other duties as directed by the Police Chief. He is also in charge of the Public Information Office.

Public Information Office is the Department's liaison with the media.

This office prepares press releases and facilitates general and internal Police Department communications.

The <u>ADMINISTRATIVE ASSISTANT</u> coordinates Department affairs affecting the Police Chief's Office. The Assistant is the liaison between the Police Chief, Bureau Commanders and other City agencies. The Assistant attends staff and special meetings, reviews and coordinates written correspondence, and performs

other duties as directed by the Police Chief. The Assistant also serves as the contact person for the various community and business groups. A non-sworn Administrative Specialist fills this position.

PATROL BUREAU

his bureau, commanded by an assistant chief, performs all primary police functions. Bureau personnel respond to citizen requests for police assistance, enforce criminal and traffic laws, investigate criminal activity, take offense reports and regulate non-criminal conduct. It consists of the five police districts, a Night Chief, Patrol Administration, Community Oriented Policing, Special Services Section and SWAT.

DISTRICTS: The City of Cincinnati is divided into five police districts, each commanded by a captain who is responsible for operations and personnel deployment. Police officers assigned to the districts for uniform patrol activity are generally divided into three fixed shifts. Each shift is commanded by a lieutenant. The first shift has starting times of 0600 and 0700 hours. The second shift has starting times of 1300, 1400, or 1500 hours, depending on service demands of that district. The third shift has starting times of 2200 or 2300 hours.

The second shift is supplemented by an early power shift and has a starting time between 1000 and 1300 hours. Third shift is supplemented by a late power shift and has a starting time between 1900 and 2100 hours. This increases field strength during early afternoon and evening hours when the service demand is higher.

The districts provide uniformed patrols in a variety of ways. In addition to marked vehicle and foot patrols, each district contains a Mountain Bike Squad. These officers provide a full range of police services. The district efforts are supplemented by mounted and canine patrols.

Each district has an investigative unit commanded by a lieutenant. This unit investigates crimes occurring within the district. When necessary, the unit coordinates these investigations with the Criminal Investigation Section (CIS) of the Investigations Bureau.

Each district fields a Neighborhood Squad, which is supervised by a sergeant with officers assigned to each individual neighborhood. These officers perform the full range of police duties in addition to serving as a liaison with the community. The neighborhood officer is the linchpin of the Community Oriented Policing effort.

Each district fields a Violent Crimes Squad (VCS) consisting of seven officers and a sergeant. VCS officers concentrate on responding to and investigating reports of violent crimes. They also serve outstanding warrants to arrest and incarcerate the subjects committing these violent crimes.

Each district assigns officers to perform specialized law enforcement tasks that include crime prevention, community relations, vice enforcement activities, traffic control, crime analysis and warrant service.

Special Events Unit, commanded by a lieutenant, plans for police presence at special events, coordinates the response of all City Departments, handles permits, and includes the Mounted Squad. As the vast majority of these major events occur in the downtown and riverfront area, the Special Events Unit is organizationally placed in District One. Should a major event occur in another district, the Special Events Unit assists that district's personnel in ensuring a proper police presence is maintained.

Mounted Squad, supervised by two sergeants, directs all equestrian activities including scheduling, training, stable management, veterinary and farrier services. The Mounted Squad provides an added dimension to policing: visibility, mobility and travel into areas not accessible by any other vehicles. Mounted Squad officers patrol all areas of the City, including the downtown business district, with emphasis on Fountain Square and the Central Riverfront. The unit is also available to provide special services to the districts upon request.

<u>Downtown Services Unit</u> is commanded by a lieutenant and staffed with personnel who are responsible for the policing of the Central Business District. Uniformed patrol officers who are assigned to this unit provide a police presence to the Downtown neighborhoods. Through the use of foot, bicycle, and motorcycle patrols, officers are able to interact with downtown merchants, residents and customers.

The **NIGHT CHIEF** is responsible for providing a command presence for the Police Department during the evening and overnight hours. This captain position carries Department-wide responsibilities.

PATROL ADMINISTRATION, commanded by a captain, coordinates and reviews reports and other information submitted by the districts and Night Chief.

The commander serves as the deputy commander/administrative liaison for the Patrol Bureau and, for administrative purposes, supervises the COP Coordinator.

Community Oriented Policing (COP) Coordinator is a lieutenant responsible for the progression of the COP philosophy in the Department. The COP Coordinator guides the districts' COP sergeants and neighborhood officers as they work to develop neighborhood based collaboratives with citizens. The COP Coordinator serves as the clearinghouse for information on community policing.

SPECIAL WEAPONS AND TACTICS (SWAT) COORDINATOR, is a lieutenant responsible for supervising all SWAT officers and SWAT activities. All SWAT officers have full time responsibilities in the various districts, sections and units. SWAT trains as a unit on a regular basis and responds to hostage, barricaded person and other high-risk situations as needed. SWAT is composed of two elements - Tactical and Negotiations. These units complement each other and both report to the SWAT Commander.

SPECIAL SERVICES SECTION, commanded by a captain, is responsible for the Park Unit, Canine Squad, Youth Services Unit, Drug Abuse Resistance Education (DARE) Squad, School Resource Officer (SRO) Squad and the Traffic Unit.

Park Unit, commanded by a lieutenant, is responsible for patrol of the City's 141 park areas, which encompass 4,765 acres of land. This unit is committed to providing a more visible police presence and improving safety in City parks. Other responsibilities include response to citizen requests for assistance, enforcement of criminal and traffic laws, regulation of non-criminal conduct, reporting incidents and offenses, investigation of criminal activity and enforcement of park rules. The Park Unit is responsible for the planning and coordination of events in the parks. The Park Unit Commander is also responsible for the supervision of the Canine Squad.

<u>Canine Squad</u>, supervised by a sergeant, is responsible for assisting district officers in high-risk search situations. On a cooperative basis, in conjunction with the mutual aid agreements, the canine teams can be used by other police agencies within Hamilton County, with approval of a command officer.

Youth Services Unit, commanded by a lieutenant, is responsible for the administration and services related to juveniles. Youth Services Unit includes the Drug Abuse Resistance Education (DARE) Squad and School Resource Officer (SRO) Squad. This unit is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. The responsibility for participating in or supporting the agency's juvenile operations function is shared by all agency components and personnel.

<u>DARE Squad</u>, supervised by a sergeant, is responsible for implementing and coordinating the DARE program. Kindergarten through eighth grade classes are instructed by police officers in all Cincinnati public schools and selected private schools.

Fundamental courses are given to kindergarten through fourth grade students. The core of the program is taught to fifth grade students and upon successful completion they graduate from the

DARE course. Reinforcement classes are then given to students in grades six through eight.

<u>School Resource Officer (SRO) Squad</u>, supervised by a sergeant, consists of uniformed personnel working in the schools providing community police services to the school population.

Traffic Unit, commanded by a lieutenant, is responsible for coordinating the Department's traffic efforts. It has staff supervision over the Department's selective enforcement program and other specialized traffic related programs. The responsibilities of this unit include radar and intoxilyzer training and certification, fatal accident investigation, assisting the Federal Aviation Administration (FAA) and the Ohio State Patrol (OSP) in aircraft crash investigations and assisting the Ohio Department of Natural Resources (ODNR), Division of Watercraft, in boat crashes. The unit also acts as a liaison and an implementation site for state programs such as the seat belt and holiday drunk driving programs. The unit supervises and coordinates private police officers, school crossing guards and the Public Vehicles/Private Police Squad.

RESOURCE BUREAU

his bureau, commanded by an assistant chief, performs a variety of functions that support the operation of the Department. It oversees the operation of the Evidence/Property Management Section, Finance Management Section, Inspections Section, and Personnel Section. It is responsible for the Court Property Unit, Impound Unit, Supply Unit, Fleet Management Unit, Grant/False Alarm Reduction Unit, Payroll/Purchasing Unit, Court Control Unit, Detail Coordination Unit, Accreditation Unit, Employee Relations Unit, Recruiting Unit, and Background Investigation Unit.

EVIDENCE/PROPERTY MANAGEMENT SECTION, commanded by a lieutenant, is responsible for any property held by the Department for the courts or other purposes.

<u>Court Property Unit</u>, supervised by a sergeant, tracks, maintains custody, and disposes of items found, confiscated, forfeited or held as evidence. It is responsible for auctioning unclaimed property and for the destruction of drugs and weapons.

Impound Unit, supervised by a sergeant, receives, secures, and disposes of impounded and seized vehicles. These originate from DUI and suspension arrests as well as law violations. It auctions unclaimed and

forfeited vehicles, and exercises supervision of private towing companies on the police rotation towing list.

<u>Supply Unit</u>, supervised by a sergeant, orders, receives, stores and distributes items needed by the Department to maintain normal operations. This responsibility includes paper forms, firearms and related equipment as well as uniform orders and maintenance. This unit receives supply requisitions from the other Department units and directs an annual inspection of uniform parts and other Department issued equipment.

Fleet Management Unit, managed by a non-sworn Automotive

Equipment Supervisor, ensures the vehicular needs of the Department are
met. The unit plans for future vehicular needs, maintains a liaison with the
Division of Fleet Services and monitors vehicle usage by Department
personnel. This is accomplished by maintaining records of mileage,
service, accidents and damage involving Department vehicles, as well as
from periodic and special reports.

FINANCE MANAGEMENT SECTION is directed by a non-sworn Supervising

Accountant. The primary functions are the preparation and administration of assigned program budgets and the effective control and audit of the Department's expenditures. Other functions of this section include administration and maintenance of all the Department's payroll records, review, analysis and

approval of all financial documents, and coordinating the Department's capital improvements. It controls financial statements and reports for the Department's general operating and restricted purpose funds and enforcement of the City's false alarm and direct alarm system ordinances.

Grant/False Alarm Reduction Unit is managed by a non-sworn Senior Accountant. The grant function includes reviewing current publications for available funding, preparing and submitting grant applications, and administering the grant programs. They also monitor and audit all of the grant projects. False alarm reduction responsibilities include enforcement of the False Alarm Ordinance by issuing warning letters and penalty notices, recommending fees be initiated against individuals and businesses that have excessive false hold up and burglar alarms, collecting fines, and responding to penalty appeals from subscribers. The unit also processes any other Department receivables.

Payroll/Purchasing Unit is managed by a non-sworn Senior Accountant. The purchasing function includes logging purchase requests, initiating purchase orders or contracts, and processing invoice payments for all material and service requirements of the Department. The unit also monitors and processes payroll for both sworn and non-sworn employees. Employee travel requests are also approved and funded through this unit.

INSPECTIONS SECTION, commanded by a captain, monitors the activity of the Department through staff inspections and unannounced inspections conducted on a random basis. The Inspections Section also coordinates the Department's random drug-testing program. At the annual uniform inspection, this section monitors the condition of issued equipment and ensures compliance with Department dress and grooming standards. Inspections Section also conducts critical reviews of all use of force incidents and serves as the Department's central record repository for all use of force incidents. This section is also responsible for ensuring the Department meets CALEA standards.

Court Control Unit, supervised by a sergeant, is the police liaison with the local judiciary and manages police officer attendance in court by monitoring officers' court appearances. This unit verifies attendance, time spent in court by officers, as well as ensuring the Police Department dress and grooming standards are met. The Court Control supervisor randomly visits courtrooms to monitor officers' testimony and case preparation.

<u>Detail Coordination Unit</u>, supervised by a sergeant, coordinates all outside employment extension of police service details. This unit also maintains the Police Department's outside employment activity records for all officers. These records are reviewed monthly to ensure compliance with Department policy. The Detail Coordination Unit supervisor also conducts audits and random inspections of outside employment details.

Accreditation Unit, supervised by a sergeant, is responsible for the daily activities required to maintain the Department's accredited status by the Commission on Accreditation for Law Enforcement Agencies (CALEA). The unit develops and maintains the required proofs of compliance, functions as a liaison with other Department components regarding accreditation matters, and is the liaison between the Department and CALEA.

PERSONNEL SECTION, commanded by a captain, maintains employee personnel records, coordinates personnel assignments and maintains a liaison between Police Department employees, the City physician, the police psychologist and the City's Human Resources Department. It also processes Family Medical Leave Act (FMLA) requests, coordinates Americans with Disabilities Act (ADA) requests, monitors the injured with pay (IWP) process, coordinates the sick leave request process, monitors the grievance process and maintains records concerning the Police Department's Affirmative Action Plan. Personnel Section is also responsible for the Recruiting Unit and Background Investigation Unit.

Employee Relations Unit, supervised by a sergeant, assists Police

Department employees engaged in the retirement or resignation process.

The sergeant is also the liaison to the Police Pension Board and City

Retirement Office.

Recruiting Unit, supervised by a sergeant, is responsible for the coordination of the police recruit selection process. The Recruiting Unit assists the City Human Resources Department with recruiting and testing of applicants.

Background Investigation Unit, supervised by a sergeant, is responsible for conducting background investigations for the Police Department and some other City Departments.

INVESTIGATIONS BUREAU

his bureau, commanded by an assistant chief, consists of the Central Vice

Control Section and the Criminal Investigation Section. This bureau handles
investigations and gathers intelligence involving vice activity, homicides, sex crimes,
crimes against children and property crimes.

CENTRAL VICE CONTROL SECTION, commanded by a captain, is responsible for activity related to general vice and drug enforcement. The section enforces laws related to liquor, prostitution, gambling, drugs, obscenity, pornography and regulatory violations. The section operates two shifts, each commanded by a lieutenant, and a drug dog is assigned to each shift. The section coordinates Department enforcement activity in these areas and provides a central repository for related records and vice intelligence information. In addition to street level drug and vice enforcement, the section also includes the Regional Enforcement Narcotics Unit (RENU) and a unit focusing on mid-level drug dealers which includes Asset Forfeiture.

Regional Enforcement Narcotics Unit, supervised by a sergeant, has personnel assigned to the Regional Enforcement Narcotics Unit (RENU). RENU is a multi-agency organization which investigates primary sources for the suppliers of illicit drugs into Greater Cincinnati.

Mid-Level Enforcement Unit, commanded by a sergeant, is responsible for undercover personnel assigned to investigate mid-level drug activity.

This unit includes Asset Forfeiture.

<u>CRIMINAL INVESTIGATION SECTION (CIS)</u>, commanded by a captain, is comprised of the Homicide Unit, Personal Crimes Unit, Major Offenders Unit and Intelligence Unit.

Homicide Unit, commanded by a lieutenant, investigates homicides, all violent or suspicious deaths, fire deaths, police shootings, police use of force resulting in hospitalization, prisoner deaths while in custody, potentially fatal assaults, felony patient abuse and neglect cases, kidnappings and abductions. The Homicide Unit also maintains a central file of confiscated weapons. The unit administers the Department's Robbery Apprehension Program (RAP) and is the Department's liaison with the Hamilton County Coroner's Office. The Homicide Unit is also responsible for the direct supervision of the Criminalistics Squad.

Personal Crimes Unit, commanded by a lieutenant, is responsible for investigating rapes and other sexual assault offenses, missing persons, child stealing and certain other crimes against children. It acts as a liaison with the Hamilton County Juvenile Court and other social support

organizations. The unit also coordinates and schedules all polygraph and computer voice stress analyzer examinations.

Major Offenders Unit, commanded by a lieutenant, coordinates citywide investigative efforts for burglary, auto theft, fencing of stolen property and organized criminal activity. The unit is responsible for the operation of the Financial Crimes Squad which conducts investigations of financial institution robberies, fraud, forgery, credit card fraud, check embezzlement, extortion, coercion, and bribery offenses. The unit administers the Crimestoppers and Rapid Indictment programs.

Intelligence Unit, commanded by a lieutenant, gathers, analyzes, stores and disseminates information concerning organized crime, terrorist activity and criminally violent groups. The unit monitors threats against public safety, threats against public officials and threats against police officers. It maintains a network of communication with regional and national intelligence organizations.

ADMINISTRATION BUREAU

his bureau, commanded by an assistant chief, is responsible for coordinating and performing inter-bureau planning tasks, and special research evaluation studies.

This bureau consists of the Internal Investigations Section, Planning Section, and Training Section.

INTERNAL INVESTIGATIONS SECTION, commanded by a captain, is responsible for investigating citizen complaints of a serious nature, complaints of alleged police misconduct, and use of force incidents that result in serious injury or death. This section coordinates pre-disciplinary hearings in conjunction with the Department hearing officer(s) and coordinates investigation of complaints referred by the Citizen Complaint Authority.

PLANNING SECTION, commanded by a captain, is responsible for planning, research, and the development of programs that maximize the effective use of Department personnel and resources. Planning Section is also responsible for tactical planning, long-range planning, developing forms and procedures, and conducting legal research.

<u>Tactical Planning</u>, commanded by a lieutenant, engages in planning and preparation for critical incidents including terrorist threats and civil disorder. Other functions include acting as a liaison with businesses,

organizations, and government agencies, training Department and City personnel, and acquiring and deploying new strategies and equipment.

The **TRAINING SECTION**, commanded by a captain, develops and conducts training programs for the Police Department. This includes recruit, in-service and firearms training in both live fire and the firearms simulator (FATS). Training Section conducts training in the areas of supervision, management, physical fitness, self-defense, officer survival, interpersonal skills, legal issues and current topics. The Training Section coordinates numerous outside training requests, FBI training programs and computer training programs. The staff produces training memos and training video programs for Department use at roll calls. Training Section also conducts the Citizen Police Academy and Student Police Academy.

<u>Firearms Training Unit</u>, supervised by a sergeant, is responsible for the Department's live firearms training. The unit conducts annual firearms qualifications for all sworn personnel and firearms instruction for police recruits. It inspects, repairs, and evaluates Department firearms and makes recommendations on appropriate ammunition for Department use.

INFORMATION MANAGEMENT BUREAU

his bureau, commanded by an assistant chief, is responsible for maintaining auxiliary services which include answering citizens' calls for police, fire and emergency medical services. It also is responsible for data collection and retrieval, upgrading/maintenance of technology and information systems, World Wide Web page construction and management, and crime analysis and mapping. This bureau consists of the Police Communications Section, Information Technology Management Section, CAD/RMS Project Unit, Crime Analysis Unit, and Records Section.

POLICE COMMUNICATIONS SECTION, commanded by a captain, operates a combined police, fire and emergency medical services (EMS) radio communications system. The section receives all citizen requests for police, fire and emergency medical service. All police operations are dispatched from this section. Reports of stolen and recovered vehicles and license plates are processed by this section. Dispatchers use computer aided dispatching (CAD) and an enhanced 911 phone system. The unit also coordinates the use of Department telephones (including cellular), pagers and Mobile Data Terminals (MDT). The section maintains computer interface with the National Crime Information Center (NCIC), Ohio Law Enforcement Automated Data Systems (LEADS) and the Regional Crime Information Center (RCIC). The section maintains a voicemail service to all local news media. Police Communications Section provides intra-Department mail service. Notifications for coordinated

response to critical incidents are also managed by the section. Responsibility for the set-up and staffing of the Emergency Operations Center is also a function of the staff.

<u>Telephone Crime Reporting Unit (TCRU)</u>, supervised by a sergeant, receives and processes minor complaints and offense reports by telephone.

INFORMATION TECHNOLOGY MANAGEMENT SECTION, commanded by a captain, assists and supports all levels of the Department in planning, installation and utilization of information technology, crime analysis and mapping. It is responsible for fulfilling the computer/technology needs of the Police Department, including business computers, networking, application services, etc. This section also coordinates and serves as a focal point for the communications between the Internet worldwide community and the Police Department. The section commander represents the Department at information technology related meetings.

CAD/RMS Project Unit, commanded by a lieutenant, is responsible for coordinating the Department's efforts in developing and implementing a new Computer Aided Dispatch (CAD) System and Records Management System (RMS). The project manager will act as the primary liaison between the primary vendor, sub contractors, and other City Departments

to see the implementation through on time and within budget. This position is a temporary position lasting the life of the project, which is expected to be two to three years.

<u>Crime Analysis Unit</u>, commanded by a lieutenant, is responsible for coordinating the collection of data the Department considers beneficial from external sources for dissemination to all crime analysts throughout the Department, to coordinate training for analysts, review new information sources for possible use by the Department, and coordinate/prepare Department-wide reports for use by the command staff.

RECORDS SECTION, directed by a non-sworn Director, receives, reviews and files most criminal offense reports, auto accident reports and related records. This includes reports of offenses committed, criminal and traffic arrests, missing persons, homicides, traffic stop data, and gun registrations. It is responsible for maintaining the Department's computerized criminal and traffic arrest/conviction histories, entering data to generate criminal and traffic court dockets, court information sheets and statistical reports. This section processes traffic violation citations, Ohio Crash Reports and applications for firearm transfers and registration. All public records requests are coordinated by this section.

12.545 USE OF FORCE

Reference:

<u>Graham vs. Conner</u>, 490 US 386, 396 (1989) <u>Tennessee vs. Garner</u>, 471 US 1 (1985)

Manual of Rules and Regulations - 1.22, 1.23, 1.24, 1.25, 2.12, 2.26A&B, 4.05

Procedure 12.140 - Canine Operations

Procedure 12.170 - Civil Disturbance Operation Procedure

Procedure 12.550 - Discharging of Firearms by Police Personnel

Procedure 12.554 - Investigatory Stops

Procedure 12.600 - Prisoners: Securing, Handling, and Transporting Procedure 12.905 - Fingerprinting and Photographing of Juveniles

Procedure 15.100 - Citizen Complaints

Definitions:

Actively Resisting - when the subject is making physically evasive movements to defeat the officer's attempt at control, including bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

Choke Holds - the courts could consider a choke hold or other similar type holds as deadly force. Choke holds are prohibited unless a situation arises where the use of deadly force is permissible under existing law and Department policy. The use of any type choke hold to prevent the swallowing of evidence is prohibited.

Crowd Management - the observing, monitoring, and facilitating the activities of persons assembled.

Crowd Control - the use of police action to stop the activities of persons assembled.

Deadly Force - force likely to cause, or capable of causing, death.

Escorting - the use of light pressure to guide a person or keep a person in place.

Force - any physical strike, instrumental contact with a person, or any significant physical contact that restricts movement of a person. The term includes, but is not limited to the use of: firearms. Tasers, chemical irritant, choke holds or hard hands, the taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with no or minimal resistance.

Hard Hands - the use of physical pressure to force a person against an object or the ground, use of physical strength or skill that causes pain or leaves a mark, leverage displacement, joint manipulation, pain compliance, and pressure point control tactics.

Original documents – photographs, MVR/DVR tapes, and any documents that are handwritten or contain an original signature.

Serious Use of Force - any action that involves: a critical firearm discharge; the use of deadly force; a baton strike to the head; or a use of force in which the person is seriously injured, or requires hospital admission, with the exception of individuals admitted for psychiatric evaluation not suffering a serious injury.

Self-Defense - the act of protecting oneself or another from physical harm or serious physical harm.

Serious Injury/Serious Physical Harm to Persons - any of the following:

- Any physical harm that carries a substantial risk of death.
- Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity.
- Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement.

Use of Force in Crowd Management and/or Control - Officers will not initiate the use of force or chemical irritant against crowds or a group of individuals except when reasonable and necessary to protect the officer, the subject, or another party from a risk of death or physical harm; or is necessary to effect the arrest of an actively resisting subject; or to prevent the escape of that subject.

Officers encountering crowds will evaluate the situation and determine if there is a current or future need requiring crowd control or crowd management. Prior to police action, the officers will immediately summon a supervisor to the scene. If crowd control is or will be required, the supervisor will summon a command officer to the scene. Once on the scene, the command officer will direct all police action and authorize the use of weapons, tools, or tactics needed to resolve the situation. The approval of a supervisor is required any time chemical irritant is used against a crowd, absent exigent circumstances.

Use of force (including the beanbag shotgun, the 40mm foam round and the PepperBall launcher) as well as the use of chemical irritant during periods of civil unrest or for crowd management is restricted. A command officer must be present and must authorize the deployment of these devices, absent exigent circumstances.

Command officers must give verbal notice prior to deploying these devices into a crowd unless it would present a danger to the officer or others to give such a warning.

Any deployment of the beanbag shotgun, the 40mm foam round, or the PepperBall launcher during crowd management/control requires:

- Specific targeting of a subject by the officer.
- Under no circumstances should any of these devices be deployed into a crowd without first identifying a specific target that represents an imminent risk of death or physical injury to the officer or others.
- The officer must be reasonably sure that the weapons will not strike other individuals in the crowd who pose no threat of violence.

If demonstrators or protesters are in a place they have a legal right to be and are conducting themselves in a non-violent and lawful manner, an officer cannot make their conduct criminal by ordering them to disperse and arresting them if they refuse.

Information:

Beanbag shotgun and 40mm foam rounds: The beanbag shotgun and 40mm foam rounds are impact projectile devices that offer a less lethal alternative for subduing or incapacitating a subject to prevent imminent physical harm, while maintaining officer safety.

These types of police tools have been designed for law enforcement to assist in resolving situations which could otherwise result in the use of deadly force.

They are designed to enable officers to subdue or incapacitate a subject while preventing imminent physical harm to the officer or another person due to the ability to maintain greater distance between officers and the subject. Most of the time these tools are used when a subject is armed with, or simulating the possession of, a potentially deadly instrument. These subjects are often emotionally disturbed, intoxicated, or suicidal. These tools are designed to deescalate the deadly force potential and allow the subject to be controlled with a lower level of force.

Use of these types of tools is reasonable in situations when allowing the subject to leave would pose an imminent continuing threat to others, including the subject.

These types of impact projectiles may not be used to prevent theft or minor vandalism.

Beanbag shotgun and 40mm foam rounds may only be used to subdue or incapacitate a subject to prevent imminent physical harm. In certain circumstances, it may be inappropriate to use these impact projectile tools, even if the only alternative is to allow the subject to escape. Officers must consider the severity of the crime, whether the subject poses an immediate threat of imminent physical harm to officers or other persons, and whether the subject is actively resisting arrest.

Chemical irritant: Chemical irritant offers a non-lethal alternative for controlling, subduing, or apprehending a suspect(s). Chemical irritant leaves an invisible ultraviolet, light-sensitive dye on an individual, which can aid in identification.

The use of chemical irritant, including the use of chemical irritant against a crowd or a group of individuals is only permitted in those cases in which such force is necessary to protect the officer, the subject, or another party from physical harm; or is necessary to effect the arrest of an actively resisting subject; or prevent the escape of that subject.

Chemical irritant or the X26 Taser (in the drive stun mode) is the primary response to prevent persons from swallowing evidence or contraband. The use of chemical irritant or the X26 Taser (in the drive stun mode) on an individual attempting to swallow evidence or contraband is only permitted when:

- There is a clear indication that the object or substance in the subject's mouth is contraband.
- There are exigent circumstances such as the imminent destruction of evidence or medical emergency.

• The officer has issued verbal commands to spit out any contraband and the subject refuses to comply.

Personnel may only use chemical irritant to control a resisting subject when verbal commands and other techniques that do not require the use of force would be ineffective or where issuing verbal commands would present a danger to the officer or others.

A verbal warning must be issued to the subject that chemical irritant will be used prior to the use of chemical irritant unless it would present a danger to the officers or others to issue such a warning. When feasible, the officer will defer using chemical irritant for a reasonable time to allow the subject to comply with the warning. Chemical irritant should only be aimed at the subject's face and upper torso.

PepperBall: The PepperBall launcher is a non-lethal tool which provides another alternative to assist in apprehending violent and/or actively resisting individuals while maintaining officer safety. This impact and chemical irritant device is capable of incapacitating subjects, thereby reducing their ability to continue aggressive action.

PR-24: The PR-24 is an impact tool that offers a less lethal method for subduing and apprehending violent and/or actively resisting subjects. Compared to empty hand counter strikes, the PR-24 is less likely to cause injury to the officer and provides added distance from the subject. Officers should target a subject's torso, arms, and legs, and avoid the subject's head, throat, neck, heart, and groin, unless threatened with serious physical harm.

X26 Taser: The X26 Taser is an electronic control device that is a non-lethal force alternative used to assist officers in the performance of their duties. The X26 Taser is designed to temporarily immobilize a non-compliant, violent or potentially violent subject. It generates electricity in a small, hand-held, battery operated unit about the size of a handgun.

When properly used, the X26 Taser generates an electrical current that dominates the existing neuromuscular and sensory nervous system. Subjects become physically incapacitated and unable to control muscular movement, allowing officers to gain control.

The X26 Taser may be used in situations where time and conditions permit. It can be an extremely effective control device for close range incapacitation. When deploying a cartridge from the X26 Taser, it should never be aimed at the subject's head, neck, eyes, or groin. When deployed in the drive stun mode, the neck and groin areas are acceptable targets. Only officers successfully completing the Department's X26 Taser Training Program will use it.

Each X26 Taser has an internal tracking chip. This chip will store the time and date of the last 2000 times the trigger was engaged on the X26 Taser. The information stored in the data chip can be retrieved by supervisors connecting to the data port on the rear of the weapon and downloading the information into our current computer system.

Every three months (January 1, April 1, July 1, October 1), supervisors are responsible for downloading the data stored on the X26 Taser chip of their

personnel for the previous three-month period. The downloaded information will be stored in a file at the officer's district/section/unit and also in the "Taser_Downloads" folder located on the H: drive. The instructions for electronically saving the downloaded data can be accessed by opening the PDF file titled, "Taser_Download instructions" located in the "Taser_Downloads" folder on the H: drive.

If Employee Tracking Solution (ETS) is down due to maintenance or mechanical problems, supervisors should document a use of force incident on the appropriate form on the H: drive. Supervisors should complete a draft copy of the use of force report and fax it to the required units. Supervisors should then retain the draft document until ETS is operational at which point the information from the draft document should be entered into ETS and processed according to this procedure.

The Police Chief has authorized a Use of Force Review Board to conduct a comprehensive review of the following use of force incidents:

- a use of force resulting in hospitalization or serious injury to a subject or police officer involved in a use of force incident;
- a use of force that includes a citizen's complaint of unnecessary or excessive force by an officer;
- or any use of force incident recommended for review by a district/section/unit commander and approved by the Police Chief.

Use of force incidents involving the discharge of firearms by police are not included in this process and are addressed by the Firearms Discharge Board (Procedure 12.550). Uses of force involving beanbag and 40mm foam round discharges are reviewable by the Use of Force Review Board.

Use of Force Review Board Members consist of the affected district/section commander, one captain from Investigations or Patrol Bureau (rotating assignment), the Training Section Commander, the Inspections Section Commander, and a bureau commander (rotating assignment).

The Internal Investigations Section (IIS) will coordinate Use of Force Review Board action and will schedule Review Board meetings and provide all documentation to board members on cases assigned by the Police Chief.

The bureau commander will chair the Review Board meetings. The Review Board will prepare a final report to the Police Chief containing a description of the incident including all uses of force, a summary and analysis of all relevant evidence, proposed findings, and analysis to support those findings.

The Review Board will determine whether all uses of force during the encounter were consistent with Department policy and training, whether the involved officers employed proper tactics, and whether lesser force alternatives were reasonably available.

Policy:

Cincinnati Police Officers must recognize and respect the value and dignity of every person.

In vesting officers with the lawful authority to use force to protect the public's welfare, a careful balancing of all human interests is required.

Courtesy in all public contacts encourages understanding and cooperation. The most desirable method for effecting an arrest is where a suspect complies with simple directions given by an officer.

When officers are confronted with a situation where control is required to effect an arrest or protect the public's safety, officers should attempt to achieve control through advice, warnings, and persuasion.

The suspect should be allowed to submit to arrest before force is used unless this causes unnecessary danger to the officer or others.

When officers have a right to make an arrest, they may use whatever force is reasonably necessary to apprehend the offender or effect the arrest, and no more. Just as officers must be prepared to respond appropriately to rising levels of resistance, they must likewise be prepared to immediately de-escalate the use of force as the subject de-escalates or comes under police control.

Officers must avoid using unnecessary violence. Their privilege to use force is not limited to that amount of force necessary to protect themselves or others, but extends to that amount reasonably necessary to enable them to effect the arrest of a resistant subject.

Force situations often do not allow for an ordinal progression up a continuum of force and officers must be ready to escalate or de-escalate as the situation evolves.

Disengagement is a reasonable option in consideration of officer safety and the necessity to apprehend immediately. Disengagement, area containment, surveillance, waiting out a subject, summoning reinforcements, or calling in specialized units may be an appropriate response to a situation and should be considered.

Force options may be used simultaneously, for instance, combining verbal commands with use of chemical irritant. The officer must choose the necessary response based on law, department policy, training, and experience. The officer must exercise proper use of force decision making, which means the use of reasonable force, including proper tactics, and de-escalation techniques.

All members have a duty to ensure that the use of force and any citizen allegation of excessive force are reported to the Police Department. Whenever employees use deadly force, force, hard hand tactics, chemical irritant, the X26 Taser; or confront resistance that results in an injury or complaint of injury to a citizen; or have knowledge of any of the above; or are aware of a citizen complaint of excessive force, they will immediately notify a supervisor. The supervisor or command officer investigating the incident must be of at least the next higher rank than the officer(s) who used force.

The only exception is when a lieutenant uses force and there is no captain or above working, but an acting Night Chief (lieutenant) is available. In this case, the acting Night Chief can conduct the investigation.

Officers who use excessive force will be subject to discipline, possible criminal prosecution, and/or civil liability.

Following any use of force resulting in a citizen's injury, officers will ensure appropriate first aid is rendered immediately once the incident scene is stabilized.

Use of Force Continuum

SUBJECT RESISTANCE:	FORCE OPTIONS:	OFFICER/SUBJECT FACTORS:
Compliant/Cooperative Subject complies with verbal commands and other	Officer presence	Physical size
directions.	Verbal skills	Influence of alcohol or drugs on subject
Uncooperative Subject fails to respond to verbal commands or other	X26 Taser/Chemical irritant	Subject's mental capacity or impairment
directions.	Escort techniques	Multiple suspects
Active Resistance Subject is making physically evasive movements to defeat	Balance displacement	
the officer's attempt at control, including bracing, tensing, or pushing, or verbally signaling an intention to avoid or	Hard hands (Pressure points/Strikes)	SPECIAL CIRCUMSTANCES:
prevent being taken into or retained in custody.	PR-24 (Baton)	Environmental factors
Assault or Threat of Assault Subject assumes fighting stance, charges, strikes or kicks an	PepperBall launcher (Non-lethal) Beanbag shotgun (Less than lethal)	Distance from subject
officer or verbally or physically indicates an intention to commit an assault combined with the subject's capability to	40mm foam round (Less than lethal)	Officer injury exhaustion
assault.	Deadly force	Proximity of weapon
Life Threatening Assault or Assault Likely to Cause Serious Physical Harm		Officer on ground
Subject commits an attack using an object, a weapon, or an empty hand assault, wherein the officer reasonably believes		Special knowledge
the assault will result in serious physical harm and/or death.		Crime involved
		History/knowledge of subject

Each force situation is unique and this continuum is intended only as an illustration of the various force options that are available to an officer facing a given level of subject resistance. This continuum is not intended to preclude a force option when that option would not exceed the amount of force reasonably necessary to affect a lawful arrest (Graham v. Connor, 490 U.S. 386 (1989)). Good judgment and the circumstance of each situation will dictate the level on the continuum of force at which an officer will start. Depending on the circumstances, officers may find it necessary to escalate and de-escalate the use of force by progressing up and down the force continuum. It is not the intent of this continuum to require officers to try each of the options before moving to the next, as long as the level of force used is reasonable under the circumstances. Disengagement, area containment, surveillance, waiting out a suspect, summoning reinforcements, or calling in specialized units may be an appropriate response to a situation.

Procedure:

- A. Use of Beanbag Shotgun
 - 1. Two supervisors' cars and ten beat cars in each district are equipped with beanbag shotguns.
 - a. Supervisors are responsible for loading beanbag shotguns.
 - b. Never load regular shotgun ammunition into beanbag shotguns or vice versa.
 - 2. A beanbag shotgun shell is a standard 2 3/4 inch, 12 gauge shotgun shell with a transparent hull.
 - a. Stocks on beanbag shotguns are orange and clearly labeled as "less-lethal".
 - 3. Beanbag shotguns will be carried with four rounds loaded in the magazine tube and no round in the chamber. They will be stored decocked with the safety on, in secured boxes in the trunks of assigned vehicles.
 - a. A breakaway seal will be on each box.
 - b. Do not remove and inspect the beanbag shotgun at the beginning of each shift.
 - 1) Open the trunk and check the seal. If the seal is intact, the weapon is ready to be used.
 - 2) If the seal is broken, call for a supervisor to inspect the weapon and reseal the box.
 - 4. If the shotgun is removed during the shift, a supervisor must inspect the shotgun and reseal it in the box.
 - 5. Supervisors will ensure beanbag shotguns are evenly disbursed geographically throughout each district.
 - 6. Neither permission from, nor the presence of, a supervisor is required for officers to use beanbag shotguns, except in crowd control situations.
 - a. The presence of a second officer is highly recommended in the event the officer using the beanbag shotgun encounters lethal resistance.
 - 7. Where the distance between the officer and the target makes it practical, verbal warnings will be given prior to use, absent exigent circumstances. When feasible, officers will allow a reasonable time between the warning and use of the beanbag shotgun.

- 8. When using a beanbag shotgun, the recommended distance is no less than 20 feet and no more than 75 feet from a suspect. Beanbag rounds have an optimal effective range of 20 to 50 feet with a maximum effective range of 75 feet.
 - a. Using a beanbag shotgun within 20 feet of an individual increases the chance of serious injury. In cases involving self-defense, defense of another, or a situation where the round is used as an alternative to deadly force when deadly force would be appropriate, the use of the beanbag round at a distance less than 20 feet is acceptable.
 - b. If serious injury requiring hospitalization occurs from using a beanbag shotgun, follow the notification process for shots fired as outlined in Procedure 12.550, Discharging of Firearms by Police Personnel.
- 9. When using a beanbag shotgun, target a specific part of the body. Avoid the head, neck, heart, and groin areas, if possible.
 - a. Take any individual struck with a beanbag round to University Hospital for medical evaluation.
- 10. While multiple beanbag rounds may be expended as necessary, no more than two beanbag shotguns should be simultaneously deployed on an individual.
- 11. If four rounds prove to be ineffective, officers need to consider another option.
- 12. After using a beanbag shotgun, and after an individual is under control, notify onlookers that a beanbag shotgun, not a regular shotgun, was used. Inform the onlookers that the beanbag shotgun is a less lethal alternative designed to apprehend individuals without causing serious injury.
 - a. Officers are exempt from the notification requirements during incidents involving civil unrest.

B. Use of 40mm Foam Round

- 1. A 40mm foam round launcher will be assigned to each district.
- 2. The 40mm foam round consists of a soft rubber sponged nose attached to a hard plastic carrier.
- 3. The 40mm foam round launcher is a single shot, shoulder-mounted weapon.
 - a. A holographic sight is attached to the launcher to assist with aiming and shot placement.

- 4. Only supervisors and officers trained in the use of the 40mm foam round launcher are permitted to use the weapon.
 - a. The presence of a second officer is highly recommended in the event the officer using the 40mm foam round launcher encounters lethal resistance.
 - b. Where the distance between the officer and the target makes it practical, verbal warnings will be given prior to use, absent exigent circumstances. When feasible, officers will allow a reasonable time between the warning and use of the foam round.
 - c. If serious injury requiring hospitalization occurs from using a 40mm foam round, follow the notification process for shots fired as outlined in Procedure 12.550.
- 5. When using the 40mm foam round, target a specific part of the body. Avoid the head, neck, heart, and groin areas, if possible. The 40mm foam round will prove most successful for incapacitation when used within its optimal energy range of approximately 10 to 75 feet, although it may be used in situations from 5 to 120 feet.
 - a. Take an individual struck with a 40mm foam round to University Hospital for medical evaluation.
- 6. If four rounds prove to be ineffective, officers need to consider another option.
- 7. After using the 40mm foam round launcher, and after an individual is under control, inform onlookers that the 40mm foam round is a less lethal alternative designed to apprehend individuals without causing serious injury.
 - a. Officers are exempt from the notification requirements during incidents involving civil unrest.

C. Use of PepperBall

- 1. PepperBall launchers will be assigned to the districts at the discretion of the Police Chief.
- 2. The PepperBall round consists of a small, hard, plastic sphere containing OC pepper powder.
- 3. The PepperBall launcher is a semi-automatic, shoulder-mounted, high capacity weapon powered by compressed air.
 - a. Each district will be assigned one SCBA compressed air tank and a PepperBall fill adapter.
 - b. SCBA tanks can be refilled by the Cincinnati Fire Department at their facility located on 5th Street at Central Avenue.

- 4. Only supervisors and officers trained in the use of PepperBall launchers are permitted to use the weapons.
 - a. The presence of a second officer is highly recommended in the event the officer using the PepperBall launcher encounters lethal resistance.
 - b. If serious injury requiring hospitalization occurs from the use of the PepperBall, follow the notification process for shots fired as outlined in Procedure 12.550.
- 5. When using the PepperBall launcher, aim at center mass. Avoid the head, neck, and groin areas, if possible. The effective range of the PepperBall is 0 to 30 feet for targeting individuals and up to 100 feet for area saturation.
 - a. Generally, four to ten rounds should be deployed at a subject. More rounds may be utilized, if in the opinion of the officer, the additional rounds will assist in gaining compliance of the individual.
 - b. Heavy clothing can hinder the effectiveness of the PepperBall rounds. If a subject is wearing heavy clothing, consider targeting the legs.
 - c. Subjects struck with PepperBall rounds often lower their head and turn away from the source of impact. It is important to anticipate this reaction when employing PepperBall rounds.
 - d. Decontamination for individuals exposed to PepperBall OC powder is fresh air and clear, cool water.
- 6. PepperBall rounds can be used to saturate an area with OC powder by aiming the rounds at solid objects such as buildings, walls, or the ground.
- 7. After using the PepperBall launcher, and after the individual is under control, inform onlookers that the PepperBall launcher is a non-lethal alternative designed to apprehend individuals without causing serious injury.
 - a. Officers are exempt from the notification requirements during incidents involving civil unrest.

D. Use of the X26 Taser

- 1. Use the X26 Taser to control actively resisting subjects, aggressive non-compliant subjects, or violent or potentially violent subjects. Give the subject a verbal warning that the Taser is going to be deployed unless it would present a danger to the officer.
 - a. Officers should avoid using the X26 Taser on obviously pregnant females and those individuals under the age of 7 or over the age of 70 due to the potential for these individuals to fall when

- incapacitated by the Taser, unless the encounter rises to the level of a deadly force situation.
- b. Officers should avoid using the X26 Taser on individuals who are on an elevated surface unless the encounter rises to the level of a deadly force situation.
- 2. Officers should, if possible, obtain backup before using the X26 Taser to control the subject.
 - a. Deploy personnel in such a manner that will enable them to use other means to subdue the subject if the X26 Taser is ineffective.
 - b. Officers will use caution and avoid standing near the subject.
- 3. Depressing the trigger on the X26 Taser will propel two darts from the attached cartridge. Once the X26 Taser is fired it will automatically cycle for five seconds. The officer can turn it off before the five second cycle stops. However, it is recommended that officers let the X26 Taser cycle for the full five seconds to maximize its effectiveness. Officers should give commands to the suspect and attempt to gain compliance.
 - a. It is necessary for both darts in a cartridge to hit some part of the suspect's clothing or body for total incapacitation. However, if only one dart penetrates the subject, the X26 Taser is only partially effective. Should this occur and the subject continues to act aggressively, place the X26 Taser against the subject's body to complete the circuit, causing complete incapacitation.
 - b. The X26 Taser has a red dot laser and a built in flashlight that activates as soon as the X26 Taser is turned on. Both of these features can be deactivated, if desired.
- 4. If a first shot does not make contact or is ineffective, the officer may reload and attempt a second shot. If the X26 Taser deployments do not make contact or are ineffective, it may be used in the drive stun mode. The X26 Taser can operate in the drive stun mode with or without the fired cartridge attached. You cannot use the X26 Taser in the drive stun mode on the neck or groin area with a non-fired cartridge attached to the Taser.
 - a. While operating the X26 Taser in the drive stun mode, the carotid/brachial, groin, and common peronial nerve are the preferred target areas of the body. A drive stun is described as pushing the X26 Taser aggressively against the subject's body while pulling the trigger. This will deliver a shock to that area of the body. A drive stun is intended to gain compliance from actively resisting subjects, aggressive non-compliant subjects, violent or potentially violent subjects, and persons attempting to swallow evidence or contraband.

- b. Due to the high voltage electronic spark of the X26 Taser, never fire the X26 Taser near flammable materials (such as chemical irritant with an alcohol-based propellant, gasoline, kerosene, or in a natural gas environment).
- c. After an officer has fired an X26 Taser cartridge, a new cartridge will be issued to the officer by their immediate supervisor.
- 5. When possible, avoid prolonged, extended, uninterrupted discharges or extensive multiple discharges.
 - a. Use of the Taser should be combined with physical restraint techniques to minimize the total duration of the struggle and Taser use.
 - 1) Additional officers on the scene of a Taser deployment can attempt to restrain and handcuff a subject during an active Taser cycle.
 - Officers should transition to a different force option if multiple Taser deployments fail to gain compliance or continued Taser applications are not making sufficient progress toward gaining compliance.
- 6. Discharging the X26 Taser at Animals
 - a. The X26 Taser is an effective tool for stopping the aggressive behavior of wild or potentially dangerous animals. The X26 Taser is especially effective for vicious and/or dangerous dogs.
 - b. Officers using a Taser on an animal may need to adjust their aim to ensure contact is made with both probes.

7. Medical Treatment

- Officers will obtain appropriate medical treatment for suspects when necessary. After successful X26 Taser deployment, request Cincinnati Fire Department (CFD) respond to evaluate the subject.
- b. Officers may remove darts embedded in a subject's skin using the appropriate technique provided the darts are not embedded in soft body tissue, i.e., genitals, breast tissue, or any area above the collar bone.
 - 1) If the darts are embedded in the soft body tissue described above, transport the subject to University Hospital for treatment and dart removal.
 - 2) Used X26 Taser cartridges and darts are considered a biohazard. Place the used cartridge and darts in a biohazard receptacle at a fire station or hospital.

E. Use of Chemical Irritant

- 1. Unless it would present a danger to the officer or another, a verbal warning to the individual that chemical irritant will be used must be issued prior to use.
- 2. When feasible, officers will defer using the chemical irritant a reasonable time to allow the individual to comply with the verbal warning.
- 3. Officers may only use chemical irritant on a restrained individual when the restrained individual is likely to escape or suffer injury; or another person is likely to suffer injury, absent the use of the chemical irritant.
- 4. If it is necessary to use chemical irritant on a violent prisoner who is handcuffed and in the rear seat of the police vehicle, officers will not open the rear doors of the police vehicle to spray the prisoner. Instead, officers will spray the prisoner through the protective screen.
 - a. If the vehicle is equipped with a plexiglass partition, officers can either slide the partition to an open position and spray the prisoner through the opening or spray the prisoner through the rear door window nearest the prisoner's face.
 - b. This should be rare and used only after officers issue a verbal warning and when other uses of force would be ineffective.
- 5. When spraying chemical irritant, target an individual's face and upper torso. If possible, stay five to ten feet away from an individual and administer the chemical irritant in 3 second bursts.
- 6. Officers may not keep a sprayed individual in a face-down position any longer than necessary to handcuff or end the threat of harm or escape.
- 7. Absent exigent circumstances, officers will offer to decontaminate every sprayed individual within 20 minutes of the use of chemical irritant.
 - a. Expose individuals sprayed with chemical irritant to fresh air. Give them an opportunity to rinse their face with plenty of clear, cool water or the use of a decontamination wipe.
 - b. Individuals should not rub or hold their faces, or use any oils, creams, or ointments.
- 8. Officers are required to request medical assistance for sprayed individuals in the following circumstances:
 - a. When the individual complains of continued effects after having been decontaminated.

- b. The individual indicates that they have a pre-existing medical condition that may be aggravated by the chemical irritant, e.g., asthma, emphysema, bronchitis, heart ailment, etc.
- c. Immediately request a supervisor and Cincinnati Fire Department (CFD) respond to the scene if a person is suspected of putting in their mouth, swallowing, or attempting to swallow any substance or item suspected as capable of causing physical harm, injury, or death.
 - 1) If necessary, CFD will transport the suspect for immediate medical treatment. If CFD requests the Police Department transport the suspect, officers will:
 - a) Immediately transport to University Hospital any persons 13 years of age and older.
 - b) Immediately transport to Children's Hospital any persons 12 years of age and under.

Reporting Use of Force

Force used	Reporting requirement
Deployment of police canine (no bite).	Form 18C, explaining circumstances that led to the deployment.
Escorting or handcuffing a person, with no or minimal resistance.	No special reporting required other than the narrative of the arrest report.
"Hard hands" use of force by means of leverage displacement, joint manipulation, pain compliance, or pressure point control tactics without injury or complaint.	The arresting officer(s) are required to notify a supervisor and document a narrative account of the subject's form(s) of resistance and the officer's specific defensive tactic used to overcome that resistance in the narrative of the arrest report and complete an officer's report of non-compliant suspect/arrestee form report to be reviewed and approved by a supervisor. The use of force report will require the officer to identify the events leading up to the use of force and the supervisor will be required to evaluate the tactics used by the officer.
"Hard hands" use of force with injury or complaint of injury.	The arresting officer(s) are required to notify a supervisor. The supervisor's report will include the following information in the narrative portion of the report: description of the events leading to the use of force; description of the subject's resistance; description of the use of force by police to overcome resistance, including a description of all empty hand controls used by the officer; supervisor's evaluation of the propriety of the initial contact and the propriety of the use of force; supervisor's evaluation of a foot pursuit if applicable.
Force using any physical strike or instrumental contact with a person; chemical irritant; choke holds; deployment of a canine resulting in a bite; beanbag shotgun and 40mm foam rounds; X26 Taser; or PepperBall.	Supervisors will be called to the scene and conduct a supervisory investigation including the supervisor's narrative description of the events preceding the use of force, the officer(s)' description of events, and audio taped statements of all witnesses including the officer(s), subject(s), medical treating personnel (if practicable), and third-parties. For chemical irritant use and X26 Taser deployment, taped statements are only required if the use occurs after handcuffing.
All serious uses of force (as defined in the definitions section) and canine bites which cause serious injury or hospital admission.	CIS and IIS will respond to the scene and investigate.

F. Reporting a Use of Force

- 1. The investigating supervisor will immediately notify the district/section/unit OIC (officer in charge), or the Night Chief, if on duty. The use of force will not be investigated by any officer who used force or chemical irritant, whose conduct led to an injury to a prisoner, or who authorized the conduct that led to the reportable incident.
 - a. If none of the above are on duty, ensure the next command officer who comes on duty is notified.
 - b. Contact the Internal Investigations Section (IIS) Commander, the Criminal Investigation Section (CIS) Commander, and the officer's district/section/unit commander for all serious uses of force and all canine bites which cause serious injury or hospital admission.
 - c. Contact the IIS Commander and the officer's district/section/unit commander if more than the necessary amount of force appears to have been used, or the injuries are inconsistent with the reported force.
- 2. The supervisor will conduct a preliminary fact finding interview of witnesses and officers at the scene and search for evidentiary materials. The supervisor will then conduct a thorough investigation and evaluate the propriety of the action taken. The supervisor or command officer investigating the incident must be of at least the next higher rank than the officer(s) who used force. The only exception is when a lieutenant uses force and there is no captain or above working, but an acting Night Chief (lieutenant) is available. In this case, the acting Night Chief can conduct the investigation.
 - a. Other than a use of chemical irritant or Taser, a supervisor will ensure neutral officers transport the prisoner to the appropriate facility, if applicable.
 - 1) Officers may remove a prisoner to a safe location to prevent an escalation of the incident.
 - b. Detail supervisors will be responsible for the investigation of a use of force involving officers under their supervision.
 - c. A supervisor in the district where the force occurred will investigate and report incidents when the officer is off duty.
 - 1) If a use of force occurs outside the city limits, a supervisor from the closest district will investigate the incident.
 - d. If an officer is involved in a use of force outside a 50-mile radius of the city, the officer will immediately contact a Police Communications Section supervisor and notify him of the use of force. The officer will leave a phone number where he can be contacted.

- PCS will contact the involved officer's assigned district/section/unit commander and notify him of the incident.
- 2) The district/section/unit commander will call the officer to determine the correct course of action.
- 3. After the preliminary fact finding interview, tape record all further interviews with the arrested, civilian witnesses, and police officer witnesses in incidents involving canine bites or the physical use of force. Attach the interview tapes to the original report.
 - a. The tape recorded interview will contain the following information:
 - 1) Date, time, and location of interview.
 - 2) Interviewer's name and title.
 - 3) Reason for the interview, e.g., "I am investigating the arrest of John Doe which took place at 1012 Ludlow Avenue".
 - 4) Identity of the person interviewed.
 - 5) Explanation of what happened with specific reference to how the injury occurred. Do not ask leading or suggestive questions.
 - b. If more information is needed, ask the appropriate questions.
 - c. Upon completion, conclude the taped interview by identifying yourself, the person interviewed, and state the time; e.g., "This is Sergeant Neudigate concluding this interview with Mr. John Doe. The time is 2000 hours".
- 4. The investigating supervisor will interview and examine the subject of the use of force. Be sure the arrested is fully aware of the supervisor's rank and purpose of the interview. The supervisor is responsible for examining the subject for any injuries and is responsible to ensure that any necessary medical attention is secured.
 - a. The investigating supervisor will take Polaroid photographs of the subject. Take specific photos of any injury, or claimed injury, to the subject.
 - 1) The investigating supervisor will record his name, badge number, date, time, and name of the subject on the photographs. Attach the photographs to the original report.
 - b. Anytime the subject of a use of force goes to a hospital, a supervisor will respond and:
 - 1) Ask permission of the medical staff to view the arrested to note the total extent of the injuries.

- 2) Interview the arrested, tape recording the interview.
- 3) Interview the treating physician and include the diagnosis in the report. Tape record the interview if the physician permits it.
 - a) If the treating physician cannot release a diagnosis of the subject's injuries due to doctor-patient confidentiality, the supervisor will note it in the report.
- 4) If possible, obtain a hospital and Department release for medical records from the arrested. Attach the release to the original investigative report.
- 5) Note on the Form 18F, Supervisor's Use of Force Investigation Report, if the subject refuses treatment at the hospital.
- If the arrested is seriously injured or admitted to a hospital, immediately notify the district/section/unit commander of the involved officer, the IIS Commander, the Criminal Investigation Section (CIS) Commander, and the Night Chief/Duty Officer, if on duty.
 - a. The Homicide Unit and IIS will conduct an investigation with the assistance of the affected district/section/unit when the injury is a result of the use of force.
 - 1) The district/section/unit commander will coordinate the investigation in the absence of an IIS investigator.
 - The CIS and IIS Commanders will forward all findings and reports to the Police Chief's Office through command channels.
 - b) When IIS or the Homicide Unit is conducting the use of force investigation, the unit responsible for the primary investigation will complete a Form 18F.
 - b. If the arrested is admitted to a hospital for psychiatric evaluation only without serious injury (PES, etc.), the above notifications are not required.
 - c. If the arrested is admitted to a hospital for observation purposes only, notify the affected bureau commander and the Duty Officer who will determine whether CIS and IIS will be notified.
 - d. If the arrested has ingested contraband, which results in either seizures, convulsions, loss of consciousness, or other serious medical conditions, immediately notify the affected bureau commander and the Duty Officer who will determine whether CIS and IIS will be notified.

- 6. The investigating supervisor will complete an appropriate Form 18F in the Employee Tracking Solution (ETS).
 - a. Ensure all blocks are completed. Multiple blocks may be checked, as applicable, in the following defined categories:
 - Ceased All Movement: Subject fails to comply with verbal commands from an officer to submit to arrest and abruptly stops all movement. This is often a behavioral cue that the subject is forming a plan to resist the officer.
 - Conspicuously Ignoring: Subject fails to comply with verbal commands from an officer to submit to arrest and fails to respond to questions or orders, refuses to acknowledge the officer's presence, engages in other activities, or attempts to leave the area.
 - Resistive Tension: Subject fails to comply with verbal commands from an officer to submit to arrest and makes body rigid by tensing the muscles. This rigidity can be full body resistance or a particular body part. The goal of the action is to prevent control by means of superior strength.
 - Exaggerated Movement: Subject fails to comply with verbal commands from an officer to submit to arrest and exhibits rapid body movements, such as flailing of the arms, excited pacing, bouncing or similar actions. Actions are often behavioral cues indicating preparation for physical exertion to avoid having the officer take control.
 - Excessive Emotional Tension: Subject fails to comply with verbal commands from an officer to submit to arrest and is belligerent, yelling or argumentative towards the officer or another person. Actions are often behavioral cues indicating preparation for physical exertion to avoid having the officer take control.
 - Combative/Assaultive: Subject fails to comply with verbal commands from an officer to submit to arrest and attempts, threatens or succeeds in physically assaulting an officer or another person by means of body weapons (hands, feet, kicks, punches, elbow strikes, spitting, biting, etc.).
 - Armed: Subject fails to comply with verbal commands from an officer to submit to arrest and displays or claims to possess a weapon, threatens to obtain or use a weapon, makes overt actions consistent with being armed, or is reported to be armed.
 - b. Include concise statements addressing corroboration or contradiction for each witness.

- c. Type a brief summary of the use of force incident on the Form 18 that includes the following information:
 - 1) Decision to arrest, including the basis for the stop and seizure.
 - 2) How the subject resisted arrest.
 - 3) Subject's resistive behavior.
 - 4) Officer's tactics and actions to counter resistance/assault.
 - 5) The supervisor's analysis of the propriety of the officer's use of force.
 - 6) A statement indicating that the subject of the use of force was interviewed as part of the investigation. Include the identity of the supervisor who conducted the interview.
- 7. If while investigating a use of force, an individual alleges excessive force, the investigating supervisor will complete a Form 648, Citizen Complaint or Information, and include it in the use of force case folder. The supervisor will investigate the complaint thoroughly while all participants and witnesses are present. If the original use of force does not require the investigation to be tape recorded, but there is an excessive force allegation in conjunction with the use of force, the supervisor will tape record the interview of the subject of the use of force. This is only required when an excessive force complaint accompanies a use of force investigation. The main focus of the interview should be the complaint allegation, not the use of force. Refer to Procedure 15.100, Citizen Complaints, for routing of the form.
- 8. The investigating supervisor will ensure the completion of and sign the Form 527, Arrest and Investigation Report, and Form 527A, Case and Bond Information Sheet, listing the prisoner's physical condition. The Form 527 will accompany the prisoner to Central Intake at the Hamilton County Justice Center.
- 9. The Form 18F will be work-flowed to the assigned district/section/unit commander through the chain of command.
 - Upon work-flowing the Form 18F, the investigating supervisor will use the "Add Notification" function to include the following units:
 - 1) Internal Investigations Section.
 - 2) Inspections Section.
 - 3) Patrol Bureau.

- b. If the Form 18F is not complete and the investigating supervisor needs to retain the document to complete their investigation, they should work-flow the document to themselves while still notifying the above listed units by the "Add Notification" function. **Do not** use the "Add Recipient" function.
- 10. The district/section/unit commander will review the original report and complete a use of force supplement which will be attached to the appropriate use of force case folder in ETS. Within seven days, the district/section/unit commander will forward the taped statements and photos to the Police Chief's Office through the affected bureau commander in a sealed envelope.
 - a. Inspections Section will file the photographs and tapes.
- 11. If an additional investigation is required, note it on the supplement.
- 12. The investigating supervisor will make a blotter entry describing the incident and action taken.
- 13. Following each use of force investigation conducted by a supervising officer, an officer at the rank of lieutenant or higher will review the investigation, identify any discrepancies, and require the supervising officer who conducted the investigation to correct any such deficiencies. Appropriate non-disciplinary corrective action and/or disciplinary action will be taken when a supervising officer fails to conduct a thorough investigation or fails to properly adjudicate an incident, or when a reviewing lieutenant neglects to recommend appropriate corrective action.
- G. Reporting Process for Use of Taser/Beanbag Shotgun/40mm Foam Round/PepperBall Launcher
 - 1. Supervisors must complete a detailed Form 18TBFP, Use of Taser/Beanbag/40mm Foam Round/PepperBall, in ETS after any officer uses one of the above devices. The Form 18TBFP must be completed whether or not an individual is struck with a beanbag, 40mm, PepperBall round, or Taser barb.
 - a. After each X26 Taser deployment, the investigating supervisor will retrieve the data stored on the X26 Taser data chip, print out the X26 Taser data port download and record the necessary information on the Form 18TBFP. The supervisor will then scan the data port download sheet into the computer and attach it to the appropriate use of force case folder in ETS.
 - b. Complete a Form 18T, Taser Silhouette Report, for X26 Taser use and attach it to the Form 18TBFP. Attach the electronic Form 18T to the appropriate use of force case folder in ETS.
 - 1) Report any accidental discharges on a Form 17 and route via the chain of command.

- 2) Report any discharges at an animal on a Form 18A, Weapons Discharge at an Animal, and route via the chain of command.
- c. Work-flow the report to the district/section/unit commander. After review, the district/section/unit commander will work-flow the original report to Inspections Section through the affected bureau commander.
 - 1) When work-flowing the Form 18TBFP, use the "Add Notification" function for the following units:
 - a) Inspections Section.
 - b) Patrol Bureau.
- d. No supplementary report is necessary unless requested by the Police Chief or bureau commander.
- e. The relief officer in charge is responsible for providing a media voice mail, as soon as possible after the incident, describing the incident and the use of the X26 Taser/beanbag shotgun/40mm foam round/PepperBall launcher.
- 2. The investigating supervisor will make a blotter entry describing the incident and action taken.
- H. Reporting Process for an Injury to Prisoner
 - Supervisors will complete a Form 18I, Injury to Prisoner, in ETS for any injury to the arrested not the result of the use of force, while under or just prior to police control, and as a result of police activity, including the ingestion of contraband.
 - a. In the event of an incident wherein the underlying police use of force meets the threshold that requires an officer to complete a Form 18NC, Noncompliant Suspect/Arrestee Report, to document the incident, and the subject is injured or complains of injury as a result of the force, the incident will be investigated by a supervisor as an injury to prisoner and documented on a Form 18I.
 - 2. The narrative section of the Form 18I will be brief and concise, containing the information in the Reporting Use of Force chart. If the incident also involved the use of chemical irritant, the narrative must address the circumstances warranting chemical irritant usage as well as the circumstances of the injury.
 - 3. Work-flow the Form 18I to the district/section/unit commander through the chain of command. Forward any original documents, photographs, or tapes.

- a. When work-flowing the Form 18I, "Add Notification" for the following units:
 - 1) Inspections Section.
 - 2) Patrol Bureau.
- b. The district/section/unit commander will evaluate the propriety of the initial contact and the use of force and will note his findings on the Form 18I.
- 4. The investigating supervisor will make a blotter entry describing the incident and action taken.
- I. Reporting Process for Use of Chemical Irritant
 - 1. Supervisors will complete a Form 18Cl in ETS when reporting the use of chemical irritant.
 - a. Work-flow the Form 18Cl to the district/section/unit commander through the chain of command.
 - 1) Upon work-flowing the Form 18Cl, use the "Add Notification" function for the following units:
 - a) Inspections Section.
 - b) Patrol Bureau.
 - b. The investigating supervisor will make a blotter entry describing the incident and action taken.
 - 2. After review, the district/section/unit commander will work-flow the report to Inspections Section through the affected bureau commander.
- J. Priority of Forms
 - 1. If more than one act by an individual occurs, only one report is needed, e.g., use of force and a use of beanbag shotgun.
 - 2. Listed below is the order in which a report is made, with "a" being the highest priority:
 - a. Use of Force.
 - 1) Include X26 Taser/Beanbag Shotgun/40mm Foam Round/PepperBall information, if applicable.
 - 2) Include canine information, if applicable.

- b. X26 Taser/Beanbag Shotgun/40mm Foam Round/PepperBall.
 - 1) Include canine information, if applicable.
- c. Canine.
- d. Injury to Prisoner.
- e. Chemical Irritant.
- f. Noncompliant Suspect/Arrestee Report.
- K. Documentation Needed for Each Form
 - 1. Form 18F, Supervisor's Use of Force Investigation Report:
 - a. Taped statement(s).
 - b. Photos.
 - c. Form 527, Arrest and Investigation Report.
 - d. Computer Aided Dispatch (CAD) Incident History.
 - e. Medical release, if treated.
 - f. Summary of doctor's diagnosis, if treated.
 - 2. Form 18TBFP, Use of Taser/Beanbag/40mm Foam Round/PepperBall:
 - a. Taped statement(s) (X26 Taser deployment is exempt from this requirement unless the subject was handcuffed at the time of use or unless there is a complaint of excessive force in conjunction with the use of force investigation).
 - b. Photos.
 - c. Form 527, Arrest and Investigation Report.
 - d. Computer Aided Dispatch (CAD) Incident History.
 - e. Medical release, if treated.
 - f. Summary of doctor's diagnosis, if treated.
 - g. X26 Taser data port download, if applicable.
 - h. Form 18T with the use of the X26 Taser.
 - i. MVR tape, if applicable.

- 3. Form 18C, Use of Canine:
 - a. Taped statement(s).
 - b. Photos.
 - c. Form 527, Arrest and Investigation Report.
 - d. Computer Aided Dispatch (CAD) Incident History.
 - e. Medical release, if treated.
 - f. Summary of doctor's diagnosis, if treated.
- 4. Form 18CI, Use of Chemical Irritant:
 - a. Short narrative.
 - b. Form 527, Arrest and Investigation Report.
 - c. Computer Aided Dispatch (CAD) Incident History.
 - d. Taped statement(s) only if the subject was handcuffed at the time or there is an excessive force complaint in conjunction with the use of force investigation.
- 5. Form 18I, Injury to Prisoner:
 - a. Photos.
 - b. Form 527, Arrest and Investigation Report.
 - c. Computer Aided Dispatch (CAD) Incident History.
 - d. Taped statement(s) only if there is an excessive force allegation in conjunction with the use of force investigation.
 - e. Brief, concise narrative to include information from the Reporting Use of Force chart.
 - f. Medical release, if treated.
 - g. Summary of doctor's diagnosis, if treated.
- 6. Form 18NC, Noncompliant Suspect/Arrestee Report:
 - a. Brief, concise narrative of resistance met and force used.
 - b. Form 527, Arrest and Investigation Report.
 - c. Computer Aided Dispatch (CAD) Incident History.
 - d. Supervisory review before end of tour.

- e. Copy for district files, original to Inspections Section.
- f. Taped statement(s) only if there is an excessive force allegation in conjunction with the use of force investigation.
- 7. Place all original documents, photos, and tapes in the Use of Force Case Jacket with the routing label attached and forward to the district/section/unit commander.
- L. Responsibilities of Inspections Section to Insure Policy and Procedure Compliance and Implementation:
 - 1. Inspections Section will review, evaluate in writing, and submit for the Police Chief's approval all supervisor reported use of force, use of beanbag shotgun, 40mm foam round, PR-24, and all canine bites (except those causing serious injury or hospital admission).
 - a. Inspections Section is exempt from reviewing use of force cases assigned to the Use of Force Review Board.
 - 2. Inspections Section will review, evaluate, and submit for the Police Chief's approval all investigations of Taser or chemical irritant use on handcuffed individuals.
 - 3. Inspections Section will review all Forms 18NC for trends and training issues.

12.554 INVESTIGATORY STOPS

Reference:

Procedure 12.205 - Traffic Enforcement

Procedure 12.555 - Arrest/Citation: Processing of Adult Misdemeanor and Felony Offenders

Procedure 17.100 - Police Records: Storage and Maintenance, and Initiating New Records and Forms

Terry v. Ohio, 392 US 1, (1968)

Florida v. J.L., US Supreme Court (2000)

City Ordinance 88-2001

Information:

There are three levels of police/citizen contact.

The first level is a consensual encounter. A police officer may approach any person in a public place and request to talk to him. So long as the person is free to leave whenever he wants, no Fourth Amendment seizure has occurred and no reasonable suspicion or probable cause is required.

The next level is the "Terry" type encounter. Here the officer has reasonable suspicion to believe the citizen is committing or has committed a crime. Based on this reasonable suspicion, the officer may forcibly stop and detain the citizen for a brief investigatory period. Failure to answer the questions asked by the officer or to properly identify oneself cannot provide the justification for detaining a person past the period necessary to complete the brief "Terry" type investigation. Once the reasonable suspicion is determined to be unfounded, the citizen must be released.

The third level of police/citizen contact is the arrest. The arrest occurs when the citizen is no longer free to leave and the officer has the intent to arrest. The arrest must be supported by probable cause to believe the citizen is committing or has committed a criminal offense.

Information or descriptions resulting from anonymous tips is not sufficient probable cause to stop and search individuals. Officers must carefully develop reasonable suspicion in cases involving anonymous tips. Officer's observations while on the scene, securing more complete information from the anonymous caller and other circumstances which would tend to support the information received are all ways that officers can use to articulate reasonable suspicion allowing a "Terry" stop.

Every "Terry" type stop does not automatically authorize a frisk. If a frisk is conducted, the officer must be able to articulate specific facts which led them to believe the individual could be armed and dangerous.

Access to the FIR Card Database for query purposes is available at select computer terminals in investigative units throughout the Department.

Policy:

No law enforcement agency should condone or promote the use of any illegal profiling system in its enforcement program. Criminal elements exist in every segment of our society. An officer whose enforcement stops are based on race or ethnicity is engaged in a practice, which undermines legitimate law enforcement, and may face claims in Federal courts of civil rights violations. To focus on a single segment of society is to limit enforcement efforts.

Awareness is the key to success in criminal interdiction. Observations must be evaluated in the aggregate - not isolation. An officer must use all senses while avoiding the development of tunnel vision. An important factor to remember when conducting an enforcement stop is to take the time to do it right. Do not rush through the stop or an important indicator of illegal activity may be missed.

Except in exigent circumstances, when a citizen is stopped or detained and then released as part of an investigation, the officer will explain to the citizen in a professional, courteous manner why he or she was stopped or detained.

For purpose of the above sentence, the term "exigent circumstances" refers only to those conditions occurring after the stop had been made which, for safety reasons, would make it unreasonable for the officer to remain at the scene of the stop to explain the basis for the stop.

Procedure:

- A. Completing a Form 534, Contact Card
 - A Contact Card must be completed any time an officer stops a motor vehicle or conducts an inquiry of individuals in a stopped motor vehicle.
 - a. When more than one vehicle is stopped as result of a single incident (same CAD number), officers will note the vehicle number (#2, #3, #4, etc.) in the designated block on the Contact Card. If only one vehicle is stopped it is not necessary to put #1 in the block.
 - b. A Contact Card is required **in addition to** any other documentation of the incident (i.e., Form 527, Arrest Report, NTA, MUTT, etc.).
 - A Contact Card must be completed for any vehicle passenger or pedestrian detention which meets the definition of a "Terry" stop.
 - a. An officer **may** complete a Contact Card for any consensual citizen contact when the officer believes completing the card will provide intelligence information **and** the information is provided voluntarily by a citizen.
 - 3. When completing a Contact Card, and while the subject is still in their presence, officers will:

- a. Determine if the subject is wanted by checking the computer system: RCIC, NCIC, and LEADS.
- b. Record all pertinent information on the Contact Card: social security number, driver's license number, vehicle license number, etc.
- 4. The initiating officer will make a copy of Contact Cards pertaining to gang members or associates and forward them to the Intelligence Unit.
- 5. The initiating officer will make a copy of those Contact Cards pertaining to violations of the "stay-away order" and forward them to the Probation Department (refer to Procedure 12.555).

B. Processing a Contact Card

- 1. Officers will submit all Contact Cards with their daily paperwork at the end of the tour of duty.
 - a. All companion Contact Cards will be stapled together.
 - b. Contact Cards completed as a result of a vehicle stop (where a citation is issued) **will be** submitted with the Ohio Multi-Count Uniform Traffic Ticket (MUTT) for processing.
 - A Contact Card is **not** required when the MUTT is issued as a result of an automobile accident.
 - c. All other Contact Cards will be submitted with the Form 436A, Daily Activity Record.
- 2. Supervisors will review and approve all Contact Cards.
 - a. In all incidents were a Contact Card is required all fields on the front of the card must be completed.
 - b. All Contact Cards will be forwarded to Records Section once approved by a supervisor.

C. Records Section Processing

- 1. All Contact Cards will be entered by Records Section personnel into the Contact Card Database.
 - a. Contact Cards will be filed by the date of contact after entry into the database.

12.900 PROCESSING JUVENILE OFFENDERS

Reference:

Procedure 12.205 - Traffic Enforcement

Procedure 12.215 - Cincinnati Parking Infraction (CPI)

Procedure 12.235 - Operating a Vehicle Under the Influence (OVI): Processing and Arrest

Procedure 12.315 - Investigation of Rape and Other Sexual Assault Offenses

Procedure 12.430 - Endangering Children Offenses

Procedure 12.545 - Use of Force

Procedure 12.600 - Prisoners: Securing, Handling, and Transporting

Procedure 12.610 - Prisoners: Guarding Hospitalized

Procedure 12.905 - Fingerprinting and Photographing of Juveniles

Procedure 12.910 - Missing Persons

Cincinnati Municipal Code 910-1 - Attendance at School

Ohio Rules of Juvenile Procedure Rule 6 - Taking into custody

Ohio Rules of Juvenile Procedure Rule 7 - Detention and shelter care

Ohio Revised Code 2151.022 - Unruly child defined

Ohio Revised Code 2151.23 - Jurisdiction of juvenile court Ohio Revised Code 2151.31 - Apprehension, custody, and detention

Ohio Revised Code 2151.311 - Procedure upon apprehension

Ohio Revised Code 2151.312 – Place where unruly child may or may not be held

Ohio Revised Code 2919.21 - Nonsupport or contributing to nonsupport of dependents

Ohio Revised Code 2919.22 - Endangering children

Ohio Revised Code 2919.23 - Interference with custody
Ohio Revised Code 2919.24 - Contributing to unruliness or delinquency of a child

Policy:

When dealing with juvenile offenders, it is the policy of the Police Department to employ the least coercive of the enforcement directives available to properly address the situation.

Information:

Community safety depends primarily upon voluntary individual restraint conditioned by community norms that control harmful behavior and reinforce conventional productive behavior. Youth who are not bonded to conventional community institutions such as school, work, religious and recreational organizations are more likely to engage in criminal behavior.

The emerging direction of juvenile justice is towards a balanced and restorative system of justice. Restorative justice focuses on crime as harm and justice as repairing harm, in part, by sanctioning juveniles based upon accountability measures which attempt to restore victims and clearly denounce and provide meaningful consequences for illegal behavior.

The following enforcement directives are designed to hold juveniles accountable for illegal behavior. Employing these directives will allow the court to appropriately intervene in incidents of juvenile offenses through formal and informal action, to effectively address victim, offender and community needs in a balanced manner which enhances public safety.

In all cases where there is doubt as to the proper disposition of juvenile cases, the officer will contact Youth Services Section (YSS) for assistance. If YSS personnel are unavailable, contact a supervisor for assistance in arriving at the proper juvenile disposition.

Procedure:

- A. Unofficial Complaints/Hearings
 - An officer who perceives that an informal intervention by Juvenile Court is preferable to merely releasing the juvenile to a parent/guardian without contact with Juvenile Court may sign an unofficial complaint against first time non-violent misdemeanor offenders.
 - a. Unofficial complaints are processed through the Hamilton County Juvenile Court (HCJC) and result in a scheduled Unofficial Hearing.
 - b. Unofficial Hearings provide an opportunity for the juvenile and the victim to arrive at a solution.
 - 2. Criteria and guidelines for Unofficial Complaints/Hearings are established by the HCJC.
 - a. Unofficial complaints can only be signed for first time delinquent or unruly offenders with a minor offense.
 - b. Unofficial complaints can only be signed when a juvenile admits guilt to the offense.
 - c. Unofficial complaints are *not* permitted for the following cases:
 - 1) Any use of a gun (real or toy)
 - 2) Domestic Violence or assault against a parent, custodian, guardian, or family member
 - 3) Threat or serious physical harm or death (Menacing and Aggravated Menacing)
 - 4) Unrecovered or damaged property over \$300
 - 5) Drugs
 - 6) Sexual Offenses
 - 7) Traffic violations

- 8) Any weapon on school grounds
- d. HCJC has the final say in determining which juvenile contacts qualify to proceed with an unofficial hearing.
- 3. Complete a Form 314, Notice to Appear, indicating referral for unofficial hearings.
 - Write in bold letters across the bottom of the Form 314, "Unofficial Hearing" and check the block marked "Juvenile Court (When Notified)".
 - b. Sign an "Unofficial Complaint" at the Hamilton County Juvenile Court Youth Center (HCJCYC) Intake Office.
 - 1) Verify if the offense meets the guidelines for an unofficial hearing with a HCJCYC Intake Office clerk.
 - c. A citizen issued a Form 655R, Cincinnati Police Citizen Referral, may sign an "Unofficial Complaint".
- B. Issuance of a Form 314, Notice to Appear Closed Referral
 - In cases where an unofficial hearing is not perceived as the proper action, a closed referral may be issued for any non-violent misdemeanor offense, excluding alcohol or drug offenses, provided the juvenile has not been previously issued a closed referral for any criminal offense.
 - a. Before issuing a closed referral, perform a computer query to determine the juvenile's criminal history and wanted status.
 - 1) Computer queries QHW, QW, QJN, QJO, and QJH access juvenile history and wanted entries.
 - 2) Verify an outstanding warrant for a juvenile's arrest by calling the HCJCYC Intake Office clerk (24 hours a day).
 - b. Note the title of the offense, section number, and facts of the offense on all closed referrals.
 - 1) List the type of offense in the "Title of Offense" space of the Form 314.
 - 2) Enter the facts of the offense in the "Describe Violation" space of the Form 314.
 - c. To properly identify juveniles and correlate juvenile records, it is imperative closed referrals, arrest reports, and other police reports reflect the names and addresses of natural parents of the juvenile and the names and addresses of the stepparents or guardians who may now have custody of the juvenile.

- d. Print "Closed Referral" in bold letters across the bottom of the Form 314.
- 2. Once the closed referral has been completed, the juvenile must be released to an adult in the following order of preference a parent, adult relative, adult sibling, school administrator, or responsible adult.
 - a. Inform the adult of the nature of the offense and arrange for the release of the juvenile.
 - 1) Indicate the name and relationship of the person notified on the back of the Form 314. The adult assuming custody of the juvenile must sign the front page of the Form 314.
 - b. For minor misdemeanor and traffic offenses, a telephone notification by the officer to the adult is sufficient. The name of the adult notified must be indicated on the back of the Form 314.
- 3. When more than one juvenile is involved in one incident, each referral will have complete information and crossed reference notes.
- 4. A unit supervisor will review a closed referral for completeness, legibility, accuracy, and appropriateness (nature of offense, policy compliance, etc.).
- 5. Police personnel will forward the closed referral (both criminal status and traffic offenses) to the appropriate district Data Entry Operator (DEO).
 - a. The DEO will enter the closed referral into the computer system and forward all copies to the Records Section for filing.

C. Issuance of Citations

- 1. Sign official complaints against juveniles who have committed a felony, violent misdemeanor (per 2902.02 ORC), drug or alcohol offense, or for a non-violent misdemeanor (if they have previously been issued a closed referral for a criminal offense), except in the following cases wherein a closed referral is permitted:
 - a. Complainant refuses to prosecute
 - b. Exceptional clearances (multiple case closures)
 - c. Juvenile lives outside of Hamilton County (misdemeanors only)
 - d. Children under the age of seven
- Sign official complaints processed as citations at the HCJCYC Intake Office

- 3. When the complainant in a juvenile investigation wishes to sign a juvenile complaint, the investigating officer will:
 - a. Provide the complainant a completed Form 655R, Citizen Referral, containing the following information:
 - 1) Juvenile's name and address
 - 2) Juvenile's date of birth
 - 3) Parent/guardian's name, if appropriate
 - 4) Recommended charge and section number
 - b. Inform the complainant to file the complaint against the juvenile at the HCJCYC Intake Office.
 - c. Complete a Form 314 for record purposes.
 - 1) Officers are not required to list the Juvenile Court case number or the Juvenile Court identification number on the Form 314.
 - 2) List the name, address, and phone number of the person signing the complaint on the rear of the Prosecutor's Copy of Form 314 under "Witnesses to be notified for court."
 - 3) Check the block titled "Juvenile Court (When Notified)."
 - 4) A unit supervisor will review the Form 314 and forward to the district DEO.
 - a) The district DEO will enter the citation into the computer system and forward all copies to Records Section for filing.
 - d. Release the juvenile to his parent/guardian.
 - 1) Advise the parent/guardian that Juvenile Court will notify them of the court date.
- 4. In cases where the officer will sign the complaint
 - a. Complete a Form 314 for record purposes.
 - Check the block titled "Juvenile Court (When Notified)."
 - b. Release the juvenile to his parent/guardian.
 - 1) Advise the parent/guardian that Juvenile Court will notify them of the court date.

- c. Sign the official complaint within 16 hours of the citation at the HCJCYC Intake Office.
 - 1) Complete a Hamilton County Juvenile Court Case Summary Form, available at the Intake Office, when signing the complaint.
 - 2) Obtain the Juvenile Court case number and the Juvenile Court identification number from the intake clerk. Record the Juvenile Court case and identification number in the "Describe Violation" space on the Form 314.
 - 3) Officers have the option of completing a Form 555, Juvenile Court Pre-Sentence Probation Information Request, to provide information to the court prior to sentencing. This form may also be completed when making a physical arrest.
 - a) Completion of the Form 555 will generate a presentence probation investigation. The arresting officer(s) will be contacted during this investigation to provide information relevant to the sentencing.
- d. Juvenile Court will notify all witnesses and issue the necessary subpoenas.
- e. A unit supervisor will review the Form 314 and forward to the district DEO.
 - 1) The DEO will enter the citation into the computer system and forward all copies to Records Section for filing.
- D. Physical Arrest (Detention)
 - 1. Reasons to admit a juvenile into detention are:
 - a. The seriousness of the offense
 - 1) Priority should be given to offenses involving violence toward a victim(s).
 - 2) A history of minor offenses may also be considered.
 - b. Protection of the juvenile from immediate or threatened physical or emotional harm.
 - c. The juvenile may abscond or be removed from the jurisdiction of the court.
 - d. The juvenile has no parent, guardian, custodian, or other person able to provide supervision and care for the juvenile and return the juvenile to court when required.

- e. An order for placement of the juvenile in detention or shelter care has been made by the court.
- 2. Approval from a supervisor is required to place juveniles under 12 years of age in detention.
- Appropriate charges must be determined prior to transport to the HCJCYC.
- 4. Transportation to HCJCYC (Detention)
 - a. Juveniles will be taken to the appropriate detention facility without delay, unless in need of medical attention.
 - b. Juveniles will remain handcuffed during all phases of transportation and processing.
 - c. Whenever juveniles are transported or processed, separate them from adult offenders.
- 5. Process all evidence through the arresting officer's district/section/unit to the Court Property Unit. Document on the Form 527, Arrest and Investigation Report, where the property was taken.
 - a. Personal property found on the juvenile will be held at HCJCYC.
- 6. Prepare a Form 527 when taking a juvenile to the HCJCYC.
 - a. The Form 527 will accompany the juvenile to the HCJCYC and provide the basis for the Receipt for Juvenile Form prepared by intake personnel.
 - b. Notify the HCJCYC intake or youth center officer when an arrested juvenile must obtain medical treatment prior to being transported to the HCJCYC.
- 7. Upon completion of the juvenile's registration, the arresting officer will file the official complaint with the HCJCYC Intake clerk.
 - a. The Form 527 should contain all pertinent information related to the case including: names of witnesses, injuries to victims, any evidence, etc.
 - b. The transporting officer(s) will enter the identification number and case number(s) obtained from the intake clerk in the "Facts of Arrest" space on the Form 527.
 - c. A unit supervisor will review the Form 527 and forward to the district DEO.
 - 1) The DEO will enter the Form 527 information into the computer and forward all copies to Records Section.

8. Notification of parent/guardian

- a. An officer taking a juvenile into custody will make a reasonable attempt to notify the parent/guardian. Make an entry in the district or unit blotter of the notification or inability to notify.
 - 1) Notify the parent/guardian when detaining a juvenile for "incustody" questioning.
 - a) "In-custody" means taking a juvenile to a police facility, detention facility, hospital, or other place where the juvenile is not free to leave.
 - b) The detaining of a juvenile for in-custody questioning must be based upon probable cause.
 - c) Notification of the parent/guardian is not necessary for brief field interviews.
 - 2) The length of time for a juvenile interview is best gauged by the investigator's assessment of the juvenile's physical and emotional condition throughout the interview process.
 - a) Never interview juveniles beyond one hour without approval of a supervisor.
 - 3) No more than two officers will interview a single juvenile.
 - 4) The interviewing officer(s) will explain the agency's and juvenile justice system's procedures to the juvenile before the interview.
 - 5) Advise the parent/guardian that the Juvenile Court will notify them when to appear at the HCJCYC.

E. Runaways

- 1. Query all runaways to determine if warrants have been signed.
- 2. Local runaways
 - a. Take the juvenile home. Obtain supervisory approval if the juvenile lives outside Hamilton County, but within reasonable driving distance.
 - 1) If the parent/guardian cannot control the juvenile or the juvenile will run away again, they must sign an official complaint at the HCJCYC Intake Office before the juvenile is placed in detention.
 - b. Juvenile Court will issue a runaway warrant for a juvenile whose whereabouts have been unknown for 12 hours or more. Exceptions are made for a juvenile whose safety is in jeopardy.

c. Officers may consider a local runaway for detention if they can justify it on the basis of personal knowledge or when other delinquent acts are involved. Disposition should be made in accordance with Section D.1. of this procedure.

3. Out-of-town runaways

- a. Take the juvenile who lives 75 miles or less to the district. Notify the parent/guardian to respond for the juvenile. A supervisor will ensure the security of the juvenile until the parent/guardian arrives.
 - 1) If there is any question regarding the cooperation of the juvenile while awaiting release, transport to HCJCYC and sign the appropriate charge as indicated below.
- b. Take juveniles living in excess of 75 miles from Cincinnati to HCJCYC.
 - 1) The arresting officer will sign an unruly juvenile complaint based on ORC 2151.022, Unruly Juvenile, Defined.
 - 2) Contact 241-KIDS (Hamilton County Department of Human Services) for assistance for juveniles under 12 years of age. Complete a Form 314 and notify Personal Crimes Unit (PCU) by telephone.
- c. Make a blotter entry indicating the disposition of the juvenile.
- 4. Runaways from placement centers
 - a. Place runaways, 12 years of age or older, from placement services in the HCJCYC unless immediate custody can be transferred to an appropriate authority for the juvenile's return.
 - 1) The arresting officer will complete a Form 527.
 - b. Contact 241-KIDS for a juvenile under 12 years of age if the juvenile cannot be returned to the agency having jurisdiction. Complete a Form 314 and notify PCU by telephone.

F. Incorrigible Complaints

1. Police officers will not initiate an arrest for incorrigibility without an official complaint signed by a parent/guardian.

G. Juvenile Traffic Offenders

 Juveniles 12 through 17 years of age inclusive, who commit a minor traffic violation, may be issued an Ohio Multi-Count Uniform Traffic Tag (MUTT) or a closed referral.

- When a closed referral is issued, write "Closed Referral" and the specific charge in the "Offense Charged and Description" block of Form OH-1.
- b. Juveniles 7 through 11 years of age will receive a closed referral unless one of the following occurs:
 - 1) Operation of a vehicle without a valid driver's license.
 - 2) Operating a Vehicle Under the Influence (OVI) violation.
 - Auto accident with serious injuries or a death to another (excludes pedestrian accidents wherein the juvenile is at fault and injured)
 - 4) Auto accident involving severe property damage
- 2. If a traffic code violation (for OVI cases, see Section G.3. of this procedure) is committed by a juvenile driving a motor vehicle, and the officer determines a warning (Closed Referral) is not sufficient, the following will apply:
 - a. District officers will cite juvenile traffic offenders on an MUTT to Hamilton County Juvenile Court on the following days except court holidays:
 - 1) Monday District 1 and District 5
 - 2) Tuesday District 2
 - 3) Wednesday District 3
 - 4) Thursday District 4

NOTE: Other units are not restricted.

- 5) A minimum of 14 days must elapse between the date the citation is written and the date of the hearing (except juvenile DUI cases see Section G.3. of this procedure). Write citations for the first hearing date for your district following the 14 days.
- 6) When necessary, the hearing date can be delayed to a following assigned date.
- 7) All hearings will be set for 1430 hours.
- 8) Districts assigned hearing dates that fall on a holiday will schedule the hearing for the indicated day of the following week.
- b. Citations issued as a result of an auto accident require both parties and witnesses to be informed of the date and time of the hearing.

- 1) Witnesses may appear at the hearing, but are not required unless subpoenaed.
- c. Give a juvenile traffic offender the violator's copy of the MUTT, listing the date and time of the court appearance.
 - 1) Check the block advising the juvenile to appear in Hamilton County Juvenile Traffic Court.
- 3. When a juvenile is cited to court for ORC Sections 4511.19 OVI, or 4511.19.1 Implied Consent.
 - a. Cite the arrested juvenile on a MUTT for the fifth calendar day following the arrest. If the fifth day is a Saturday, Sunday, or legal holiday, use the next court day.
 - b. The time of the court appearance is 1600 hours in Juvenile Court.
 - c. Police personnel will not appear at this hearing.
- 4. Treat juveniles riding toys as a pedestrian.
- 5. Issue a Cincinnati Parking Infraction (CPI) when a vehicle parked in violation is known to be owned, or the violation was committed by, a juvenile.
 - a. Cite juveniles operating a vehicle with expired license plates in violation of Cincinnati Municipal Code (CMC) 503-52, Unauthorized License Plates, on a MUTT to Juvenile Court.
- H. Adult Criminal and Traffic Warrants Issued to a Person who is a Juvenile
 - 1. Send an adult criminal or traffic warrant issued for a juvenile to the Hamilton County Sheriff's Office, Central Warrants Processing Unit.
 - a. Accompany the warrant with a complete list of the facts so a Record of Arrest can be prepared and the warrant(s) dismissed.
 - 2. Circumstances consistent with this procedure will determine if:
 - a. The juvenile is issued a MUTT and cited to juvenile court.
 - b. A juvenile complaint is signed and the juvenile is cited to Juvenile Court or placed in the HCJCYC.
- I. Service of Hamilton County Juvenile Court Warrants
 - 1. When a computer check indicates a warrant is on file, telephone the HCJCYC Intake Office and confirm the warrant.

- a. Complete a Form 527 listing the following information:
 - Date, time, name of the person confirming the warrant, and the Juvenile Court identification number in the space titled "Facts of Arrest"
 - 2) Warrant number(s) in the space titled "Charges"
 - 3) RCIC control number in the space titled "Control Number"
- 2. If adults have an active warrant issued by the Hamilton County Juvenile Court when the adults were juveniles, confirm the warrant with the HCJCYC Intake clerk.

NOTE: Do not cite adults with juvenile warrants to court.

- a. Take adults with Juvenile Court criminal and parole violation warrants to the HCJC (Hamilton County Justice Center).
 - 1) Take the completed Form 527 to the HCJC with the adult.
 - 2) Advise the HCJCYC Intake clerk the person will be taken to the HCJC.
 - a) The intake clerk will teletype confirmation of the warrant to the HCJC.
- b. Take adults with Juvenile Court traffic or violation of court order (juvenile probation violation) warrants to the HCJCYC.
 - 1) Take the completed Form 527 to the HCJCYC with the adult.
- 3. When the HCJCYC Intake clerk is unable to confirm a warrant on a computer hit, the unit supervisor will document on a Form 17 the date, time, name of the clerk, and a full report of the incident. Forward the Form 17 and a teletype printout of the computer hit to the Police Chief.
 - a. The Police Chief will forward the Form 17 to the Youth Services Section (YSS) Commander for a follow-up investigation.
 - b. Release the juvenile if the intake clerk cannot confirm the warrant and no new charges are filed.
- 4. Hamilton County Juvenile Court warrants are distributed to the districts.
 - a. The district commander will direct all juvenile warrants received to the warrant control officer.
 - The warrant control officer will complete a Form CW100 (Warrant Control Card) for each warrant.

- a) Record juvenile warrants separately but in the same manner as adult warrants.
- b) Process juvenile warrants within a 14 day period.
- c) The Monthly Warrant Report will include a separate section for juvenile warrants.
- b. The district commander will determine the assignment for service of juvenile warrants.

J. Investigations on School Property

- 1. The primary function of the School Resource Officer (SRO) is enforcement action for any violation of law which occurs on school property.
 - a. In many instances, the SRO can identify a wanted juvenile.
 - b. The SRO may also know the background information, address, and other data on a suspect juvenile.
 - c. When SRO's are not readily available to respond, all initial requests for service (e.g., reports, investigations, etc.) should be immediately handled by the police officer on the scene and not referred to an SRO for appropriate action.
- 2. If an incident occurs on school property in view of a police officer, the officer will file the official complaint.
- 3. Contact the school principal to arrange for an interview on the school premises with a juvenile.
 - a. For informational purposes and necessary assistance contact the SRO.

K. Truancy and Curfew Enforcement

- 1. Officers should make an effort to enforce truancy violations and curfew violations.
- 2. In the case of truancy, if no other offense is involved and the juvenile is not suspended or expelled from school, complete a Form 314 and return the truant to the juvenile's particular school attendance officer.
 - a. If the student is suspended or expelled from school and in a public place without parental supervision or permission, and not on an emergency errand, the student may be charged with truancy (violation of CMC Section 910-1, Attendance at School).
 - 1) Suspended or expelled students arrested for truancy may not be returned to school, but must be taken home or to a police facility until a parent or guardian can be contacted.

- 3. In cases of curfew violations, CMC Section 911-27, juveniles may be transported to the following locations, listed in order of preference:
 - a. Home Officers will transport a curfew violator home if it geographically closer than a curfew center.
 - b. Curfew Center
 - c. Lighthouse Youth Crisis Center, 2685 Stratford Avenue, when a parent/guardian cannot be located and a curfew center is not available.
 - 1) Officers must make a reasonable attempt (approximately one hour) to locate the parent/guardian of a curfew violator before transporting the violator to the Lighthouse.
 - 2) Curfew violators under the influence of drugs/alcohol, in possession of a weapon, or involved in gang activity will not be accepted.
 - a) Lighthouse staff has the right to refuse admittance to any curfew violator.
 - Officers transporting a curfew violator to the Lighthouse must then respond to the HCJCYC Intake office to sign a complaint for CMC 911-27, even if the violator is a first offender.
 - 4) Curfew violators who leave the Lighthouse before being released to a parent/guardian will not be charged with Escape, O.R.C. 2921.34.
 - a) If located, these violators will be transported to HCJCYC and charged with an additional curfew violation, if appropriate.
 - 5) Officers will contact the District Five Officer In Charge (OIC) if a supervisor is needed to resolve any situation involving curfew violators.
 - d. Hamilton County Juvenile Court Youth Center, 2020 Auburn Avenue.
 - 1) Only transport curfew violators to the HCJCYC if one of the following conditions applies:
 - a) All locations listed above are unavailable to receive the violator.
 - b) Any condition listed in Section D.1 of this procedure is applicable to the violator.

Enforcement actions

- a. A Form 314 (closed referral) will be made for an initial truancy or curfew violation.
 - A closed referral should not be used on a second contact unless extenuating circumstances are present (e.g., extensive time has expired since last enforcement contact, juvenile will soon be an adult, etc.).
- b. Handle subsequent violations by completing a juvenile complaint signed at either Juvenile Court or Juvenile Detention.
 - 1) Any previous adjudication for any violation will cause the correct charge for both truancy and curfew to be a Violation of a Court Order (VCO). Sign a Juvenile Complaint titled "VCO-Truancy" or "VCO-Curfew" (ORC Section 2151.02).
- c. If the parent/guardian has previously been issued a written warning, issue the parent/guardian a minor misdemeanor citation for CMC Section 911-27(e).
- 5. To ensure the appropriate enforcement is being taken, officers must check the juvenile's previous record.
 - a. This can be accomplished by making a computer inquiry or calling the Juvenile Court Clerk's office.

L. Adult Involvement in Juvenile Court Cases

1. Juvenile Court has original jurisdiction under the Ohio Revised Code to hear and determine all misdemeanor cases charging adults with any act or omission with respect to any juvenile, which act or omission is a violation of any state law or any municipal ordinance.

NOTE: ORC Section 2919.22, Division A - Endangering Children, a misdemeanor of the first degree, is the jurisdiction of the Hamilton County Municipal Court.

- 2. Police personnel or a parent/guardian wishing to obtain an adult warrant at the Hamilton County Juvenile Court for ORC Sections 2919.21, Division (B) Nonsupport or contributing to nonsupport of dependents; 2919.22, Division (B)(1) Endangering Children; 2919.23, Division (B) Interference with custody; or 2919.24, Contributing to unruliness or delinquency of a juvenile, can:
 - a. Consult with a prosecutor on the Hamilton County Juvenile Court's staff during normal business hours.
 - b. File complaints with the HCJCYC Intake clerk when the officer or parent/guardian cannot wait until normal court business hours.

- 3. Process adult violators arrested and charged with an offense that Juvenile Court has jurisdiction over through the HCJCYC Intake Office and hold at the HCJC.
 - a. The arresting officer or the complainant, accompanied by the arresting officer, will sign the official complaint at the HCJCYC Intake Office.
 - 1) The police officer will obtain the necessary paper from the Intake Clerk after the complaint is signed and transport the arrested and the paperwork to the HCJC.

M. Disclosing Identity of Juvenile Offenders

- 1. Police personnel will not disclose the identity of any juvenile who is the subject of a police contact through detention, citation to court, or by referral to non-criminal justice administration personnel in conformance with the spirit of the Ohio Juvenile Code, except when:
 - a. Identity is required for official purposes.
 - b. The juvenile is wanted as a missing person/runaway and such information is transmitted by Police Communications Section (PCS).
 - c. The juvenile is wanted in the investigation of a felony and such information is transmitted by PCS.
- Refer private persons or agencies making a request for identity of
 juvenile offenders at the Records Section, any police unit, or from a
 member of the Department, to the Hamilton County Juvenile Court.
 Juvenile Court can better evaluate the total situation regarding the
 juvenile involved and their records are more complete.



JOSEPH T. DETERS

HAMILTON COUNTY PROSECUTING ATTORNEY

CRIMINAL DIVISION
230 EAST NINTH STREET, SUITE 4000
CINCINNATI, OH 45202-2151
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FAX: 513 946-3105
WWW.HCPROS.ORG
WRITER'S DIRECT DIAL NUMBER
946-3078

March 3, 2006

Honorable Simon L. Leis, Jr. Hamilton County Sheriff 1000 Sycamore Street Cincinnati, Ohio 45202

Re:

State of Ohio v. Paul Kraft

B0502432

Dear Sheriff Leis:

I wanted to thank and commend Rick Sweeney, Kelli Cassidy, and John Ruebusch for their outstanding work in the prosecution of Paul Kraft. Kraft was initially discovered by the U.S. Secret Service attempting to peddle a live broadcast of himself raping his three year old daughter over the Internet. With the cooperation of various law enforcement agencies, Kraft was arrested the very next day and his computer seized.

Through the skillful interview techniques of Detective Sweeney, with the assistance of Officer Kelli Cassidy and U.S. Secret Service agent Ron Axt, a full confession was obtained from Kraft to multiple rapes of his daughter and possession of the pornography on his computer. With the expertise and assistance of John Ruebusch, the child pornography was recovered from the computer and the source of many of the images was identified. All of these individuals did whatever was asked in order to secure the convictions against Kraft. Their efforts resulted in convictions against Kraft for 5 counts of rape and 12 counts or pandering obscenity. Kraft received what is believed to be the longest sentence in Hamilton County history: 5 consecutive life sentences along with 96 years consecutive for a combined sentence of 171 years to Life.

I believe that without the excellent work by your team, Kraft would still be living with and abusing his children. Your officers have insured that the only abuse Kraft will be able to participate in for his remaining years will be in an Ohio prison.

Sincerely,

Mark E. Piepmeier

mash E Prez

Chief Assistant Prosecuting Attorney

cc: Rick Sweeney, Kelli Cassidy, John Ruebusch



JODIE W. MOOTY VICE PRESIDENT AUDIT & SECURITY

February 28, 2006

Colonel Thomas H. Streicher Jr. Cincinnati Police Department 310 Ezzard Charles Dr. Cincinnati, Ohio 45214

Dear Colonel Streicher:

On behalf of Cash America International, we would like to recognize and pass along our sincere appreciation to Officer Mary Thompson-Cowan, who is assigned to the District Four Investigative Unit of the Cincinnati Police Department.

Officer Cowan participated and assisted in a joint investigation with two other agencies in the greater Cincinnati area, which resulted in the arrest of Samuel Mark Bord on January 28, 2006. In addition to the arrest, authorities recovered over \$500,000 dollars in cash and jewelry taken during the course of the theft on January 14, 2006. Officer Mary Thompson-Cowan's excellent effort and unrelenting work ethic contributed greatly.

Please accept this letter as recognition of our appreciation and admiration for the first class Police Department of Cincinnati.

Sincerely,

Jodie W. Mooty

C: Darrel Foster, Director of Security Jason Foshee, Investigator Timothy Morgan, Investigator Samuel Sandoval, Investigator



Department of Public Safety

Division of Police

James G. Jackson, Chief of Police

120 Marconi Boulevard P.O. Box 15009 Columbus, Ohio 43215-0009



February 28, 2006

Chief Thomas H. Streicher Jr. Cincinnati Police Department 310 Ezzard Charles Drive Cincinnati, Ohio 45214

Dear Chief Thomas H. Streicher Jr.:

This letter is long overdue and we apologize for that but we wanted to thank you and the members of your Mounted Patrol Squad for all the knowledge, assistance and support you have provided us over the last year.

We were dealing with several issues in the Columbus Police Mounted Unit that your unit had dealt with in the past and their knowledge and experience in overcoming and dealing with some of those issues has been invaluable to us. We appreciate the way your unit members welcomed us and willingly provided us with any assistance we asked for.

Sgt. Matt Cornacchione and Officer Elena Moton never made us feel like they did not have the time for us when we called with questions or concerns. The knowledge and professionalism they exhibit are a credit to the Cincinnati Police Department.

We believe we have the beginning of a strong relationship with the Cincinnati Police Mounted Patrol Squad and we want to continue fostering that relationship, hopefully for the benefit of both units. We hope to set up another visit or a training opportunity with your unit very soon.

Respectfully,

Officer Michelle Henry #573 Officer Whitney Lancaster #1345 Officer John Shoopman #1461

MRH:mrh Cc: Sgt. Matt Cornacchione Off. Elena Moton

Phone # (614) 645-4545

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TDD# (614) 645-4677



Ohio Department of Agriculture



Governor Bob Taft Lieutenant Governor Bruce E. Johnson Director Fred L. Dailey Division of Enforcement

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ODA home page: www.ohioagriculture.gov. e-mail: agri@mail.agri.state.oh.us

March 8, 2006

Chief Thomas H. Streicher, Jr. 310 Ezzard Charles Drive Cincinnati, Ohio 45214

Dear Chief Streicher,

On March 6, 2006, the Ohio Department of Agriculture responded to information supplied to us by the Milk Safety Branch of the Kentucky Department for Public Health, involving the illegal supply of raw mild to the public. The incident occurred in the parking lot of the Waldruff School located at, 745 Derby Avenue. I want to thank you for the cooperation extended to us in dealing with this investigation. I commend the professional manner in which Sergeant Lambert and the police officers of the 5th District controlled the situation.

Sincerely,

OHIO DEPARTMENT OF AGRICULTURE

William J. Folwarczny Enforcement Agent

WJF/ldl

Cc: Fred L. Dailey, Director

Richard G. Corbin, Chief of Enforcement

Protecting Farmers and Consumers Since 1846 $\,\cdot$ Equal Opportunity in Employment and Services



Neighborhood Association 2364 West McMicken Avenue Cincinnati, OH 45214 Representing: Clifton Heights • University Heights.• Fairview

February 21, 2006

Colonel Thomas H. Streicher, Jr. Police Chief 310 Ezzard Charles Drive Cincinnati, OH 45214

Dear Colonel Streicher:

We, the Clifton Heights, University Heights, Fairview Neighborhood Association, would like to commend Police Specialist Brian Trotta for bravery in the line of duty. In the late night hours of December 30, 2005, Officer Trotta came under fire from a known criminal who was in the act of robbing a pedestrian. Not only did his response thwart the would-be robber, but also his life was endangered when the criminal fired shots at him and his partner. Police Specialist Trotta should be recognized for his keen observation skills in a patrol, dedication, and selflessness.

It is truly brave officers like Police Specialist Trotta for which the Cincinnati Police Department should be proud.

Sincerely,

Lider Zugler

President of the CUF Neighborhood Association



Neighborhood Association 2364 West McMicken Avenue Cincinnati, OH 45214 Representing: Clifton Heights • University Heights • Fairview

February 21, 2006

Colonel Thomas H. Streicher, Jr. Police Chief 310 Ezzard Charles Drive Cincinnati, OH 45214

Dear Colonel Streicher:

We, the Clifton Heights, University Heights, Fairview Neighborhood Association, would like to commend Police Officer Jenny Luke for bravery in the line of duty. In the late night hours of December 30, 2005, Officer Luke came under fire from a known criminal who was in the act of robbing a pedestrian. Not only did her response thwart the would-be robber, but also her life was endangered when the criminal fired shots at her and her partner. Officer Luke should be recognized for her keen observation skills in a patrol, dedication, and selflessness.

It is truly brave officers like Police Officer Jenny Luke for which the Cincinnati Police Department should be proud.

Sincerely,

Kudy Zugli, Linda Ziegler,

President of the CUF Neighborhood Association